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R E P O R T

ON THE LOCATION OF

THE BRITISH-ALASKAN BOUNDARY

UNDER THE

ANGLO-RUSSIAN CONVENTION OF 1825,

BY

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REPORT.

No. 1.

The following remarks on the location of the British Alaskan boundary, in respect of their order, follow the sequence indicated in the Convention by which the boundary is defined; and in respect of their matter, are suggested by interpretations of the terms of the treaty opposed to the intention of its framers.

The order adopted, following the northerly course of the line, is:—

The water boundary:

1st, from the southernmost point of Prince of Wales Island to Portland Channel.

2nd, the course of the line through Portland Channel.

The land boundary:

1st, from Portland Channel to the parallel of 56° North latitude.

2nd, from 56° North latitude to contact with the meridian of 141° West longitude.

3rd, from contact with the meridian of 141° West longitude to the Arctic Ocean.

The matter aims at a demonstration of the intentions of the framers of the Convention, founded upon records of the negotiations, maps, charts, and the wording of the treaty itself; and brings into contrast with the conclusions thus arrived at, views inconsistent with them, and based, it is believed, on imperfect information.

The interpretation of the Convention supported by the arguments now submitted, will be found to be an unstrained and natural version of the terms of the treaty, consistent in every respect with the inferences to be drawn from the records of the negotiations and not inconsistent in any single point with the geographical features referred to.

On the other hand, it is shown that the alternative interpretations abound with untenable assumptions, improbabilities, inconsistencies, and contradictions. These support the view that the treaty description of the boundary—in every detail except as regards the meridian line to the Arctic,—is inaccurate, incomplete, or impracticable.

The interpretation maintained in this report to be that intended by Russia and Great Britain, is precise and definite; and, consistently with the attitude of the contracting parties at the date of their Convention, indicates a line easier to be recognised and marked than any other which could, even now, be described in words.

The British Alaskan Boundary is defined by the Convention of 28 February 1825 between Great Britain and Russia.

Appendix
No. 41, p. 69.

A general sketch of the origin, and of the course of the negotiations which terminated in the Convention, is contained in a Confidential Memorandum drawn up for the use of the Foreign Office in 1835, and reprinted in 1868.

Appendix
No. 2, p. 29.

The Right Hon. Mr. George Canning was Secretary of State for Foreign Affairs during the negotiations. His Excellency Sir Charles Bagot was the British Plenipotentiary who commenced the negotiations at St. Petersburg. They were concluded by Mr. (afterwards Sir) Stratford Canning. Count de Nesselrode, Imperial Secretary of State, and Monsieur de Poletica, Imperial Councillor of State, were the Russian Plenipotentiaries, and Count de Lieven was the Russian Ambassador throughout.

Of the Articles of the Convention, Nos. 3 to 6 inclusive alone relate to the subject of this report.

Appendix
No. 41, p. 70.

Sir Stratford Canning—who, as British Plenipotentiary, concluded the Convention—wrote of the terms in which the agreement was expressed as follows:—"The Articles of the Convention depend for their force entirely on the general acceptance of the terms in which they are expressed."

Appendix
No. 34, p. 69.

At the date of the negotiations there was a fairly accurate knowledge of the ocean topography referred to in the Articles just specified. This knowledge, common to the Russian and British authorities concerned in the negotiations, was chiefly derived from Vancouver's explorations with H.M. ships "Discovery" and "Chatham" in the years 1793-4.

Mr. G. Canning, when instructing Sir Charles Bagot on the 20th January 1824, refers him to Vancouver's chart and to a Russian map published in 1822.*

Appendix
No. 9, p. 35.

In Humboldt's Political Essay on the Kingdom of New Spain, 8vo. ed., 1811, Vol. II., pp. 388-9, he refers to a beautiful official Russian chart of 1802, embracing from 40° to 72° N. lat., and from 125° to 224° long. (Paris meridian); the names in Russian characters. A Russian chart exactly answering the above description, with the exception that longitude is reckoned from Ferro (= 18° W. long. from Greenwich), is in

* It may safely be assumed that this Russian map of 1822, in its details, closely followed the Russian map published in 1820. See attached Map, No. 5.—D. R. C.

Appendix
Map No. 4.

possession of the Hydrographic Department of the British Admiralty (Reference No. 546, A.C.) and it agrees with the size given by Humboldt in metres and decimals.

These maps embrace the region touched on by the Convention of 1825. They profess to include the most recent discoveries of Russian and foreign navigators. The Admiralty copy has on its face at the right-hand side the following manuscript note:—

"N.B.—The Russians claim the coast of America as far as the coloured part is marked." It is also docketed, "Chart of the N.E. part of Russia, and the claim of the Russians to that part of the American coast where coloured."

This colouring assigns Prince of Wales and Revilla Gigedo Islands to Russia, and terminates on the continent in Behns Canal at 55° 50' N. lat.

The note would indicate that the map had been consulted with reference to the negotiations of 1824–5.

The details of the map are largely taken from Vancouver's charts of 1798.

Appendix
No. 8, p. 34.
Docket.

On 20th January 1824 Mr. G. Canning also transmitted a sketch map from a Russian chart he had received from Sir John Barrow, Secretary to the Admiralty; and, with reference to the chart itself, Lord Francis Conyngham notes (Record Office, Russia Domestic

Appendix
No. 7, p. 34.

Various, Vol. 146, 13 January 1824), "it is copied from Vancouver's Survey."

The chart referred to by Lord F. Conyngham was probably the Russian chart of 1802, previously mentioned.

Of part of the islands off the Alaskan coast, Humbo'dt says (Vol. II., p. 394): "It appears that the great island of the King George Archipelago has in fact been examined with more care and more minutely by Russian navigators than by Vancouver. Of this we may easily convince ourselves by comparing attentively * * * the charts published at St. Petersburg in the Imperial dépôt in 1802 and the charts of Vancouver." King George's Archipelago mentioned by Humboldt is only a small part of the survey by Vancouver, which included the Russian post "Sitka."

The Russian Plenipotentiaries, in the course of the negotiations, referred to English maps as furnishing the most recent and reliable information.

Appendix
No. 14, p. 43.

In replying to the British Plenipotentiaries' second Projet, the Russian Plenipotentiaries remarked: "D'après les cartes les plus récentes et les meilleures publiées en Angleterre, les établissements de la Compagnie de la Baie de Hudson ne se rapprochent des côtes que par le 53^{me} et le 54^{me} degré, et l'on ne saurait prouver que sur aucun point ils arrivent jusqu'au grand océan."

Again, on the 29th March 1824, in remarking on Sir Charles Bagot's rejoinder to the Projet just mentioned, the Russian Plenipotentiaries remark:—

Appendix
No. 16, p. 45.

"Qu'au reste d'après le témoignage des cartes les plus récentes publiées en Angleterre, il n'existe aucun établissement Anglais ni sur la côte même du continent, ni au nord du 54 degré de latitude septentrionale."

Then on the 5th April 1824 Count de Nesselrode, in writing to Count de Lieven, remarks:—

Appendix
No. 17, p. 47.

"On ne peut effectivement assez le répéter, d'après le témoignage des cartes les plus récentes, l'Angleterre ne possède aucun établissement ni à la hauteur du Portland Canal, ni à bord même de l'océan." * * *

The maps of Arrowsmith, hydrographer to His Royal Highness the Prince of Wales, were noted for their reliability at the time of the Convention; he made maps for the Hudson's Bay Company, and the Company placed all their topographical information at his disposal. A map of North America first published in 1795, but corrected up to 1814 (now in the library of the Royal Geographical Society), is dedicated by Arrowsmith to the Hudson's Bay Company in recognition of their liberal communications to him. Mr. Stanford of Long Acre procured from the late Mr. Arrowsmith, and has now in his possession, many original sketches and surveys of Hudson Bay Company's territory.

But, for the details of the Alaskan coast Arrowsmith was almost wholly indebted to Vancouver. On the other hand, it was probably to Arrowsmith's maps the Russian Plenipotentiaries referred, when they spoke of the position of the Hudson Bay factories, for the title of the map of North America says it includes "all the new discoveries on the interior parts of North America," and Vancouver's charts are confessedly only coast-line surveys.

H. S. Tanner, a leading United States' geographer, who published an Atlas (now in the Royal Geographical Society's library) of North America, at Washington in 1822 (corrected to 1825) speaks in his preface of "Arrowsmith and of Vancouver;" he refers to the former as "the eminent British geographer," and says of his map of 1795, corrected to 1814: "This chart, although the most complete at the period of its publication, is rendered nearly obsolete by the great quantity of charts and other works on various parts of the American coast which have appeared within a few years."

As will be understood from what immediately follows, Tanner's depreciatory remark did not apply to the south-west coast of Alaska, but to the interior of the United States, &c., for he goes on to notice "The Atlas to Vancouver's Voyages," saying:—"These charts, with the exception of a few points" (none of these points affect the subject of this report) "to be noticed hereafter, were used almost exclusively" (by himself) "for the western coast below the latitude of 60° N. The high estimation in which Vancouver's charts are deservedly held by men of science renders any remarks here, in their commendation, entirely superfluous."

Tanner took special interest in the north-west coast of America, for he discusses the question of the claim of Russia raised by the Imperial Ukase of 1821, whence originated the Conventions of 1824-5 between Russia and Great Britain, and between Russia and the United States.

It is thus apparent that both Russian and British authorities, when negotiating the Convention of 1825, had access to the most recent and trustworthy sources of topographical knowledge with respect to the north-west coast of North America.

The Russian authorities referred during the negotiations to British charts and the British authorities referred to Russian charts.

The water boundary is described by the 3rd Article of the Convention in the following terms:—"La ligne de démarcation entre les Possessions des Hautes Parties Contractantes, sur la côte du continent et les Iles de l'Amérique Nord-Ouest, sera tracée ainsi qu'il suit:—

WATER
BOUNDARY.
Appendix
No. 41, p. 70.

"A partir du point le plus méridional de l'île dite *Prince of Wales*, lequel point se trouve sous la parallèle de 54^{me} degré, 40 minutes de latitude Nord, et entre le 131^{me} et le 133^{me} degré de longitude Ouest (Méridien de Greenwich), la dite ligne remontera au Nord le long de la passe dite *Portland Channel* jusqu'au point de la terre ferme où elle atteint le 56^{me} degré de latitude Nord."

The Prince of Wales Island above referred to is recognised at once by the recorded latitude and longitude of its southern coast.

PRINCE OF
WALES
ISLAND.

The island is the principal feature of what Vancouver named the Prince of Wales's Archipelago (*see* Vancouver 8vo Edn., Vol. IV., p. 273 and Chart VII. of Vancouver's 4to Edn., Vol. II., p. 419 Atlas).

Appendix
No. 39, p. 67.
Map No. 3.

One of the earliest map references to what Vancouver had called "Prince of Wales's Archipelago" as "Prince of Wales Island" is to be found in the Atlas of Tanner, already alluded to, published at Washington in 1822, and improved in 1825.

The first record of official use of the name "Prince of Wales Island" appears to be in the first *Projet* submitted in 1824 by the Russian Plenipotentiaries, in which the name "l'île du Prince de Galles" occurs; and subsequently the name was adopted by the British Plenipotentiary.

Appendix
No. 12, p. 42.
No. 13, p. 42.

Vancouver correctly supposed that the lands to which he had given the name "Prince of Wales's Archipelago," did not form a single island; but he had not verified his supposition; and consequently, on his chart, their sub-division into separate islands does not appear.

Hence it was natural for the Plenipotentiaries to refer to the Archipelago as an island.

Vancouver's Voyage of Discovery, 8vo Ed., Vol. IV., pp. 272-3, says:—"Its" (the Duke of Clarence's Strait) "western shore is an extensive tract of land, which (though not visibly so to us), I have reason to believe is much broken and divided by water, forming as it were a distinct body in the great archipelago. This I have honoured with the name of 'The Prince of Wales's Archipelago.'"

The name Prince of Wales's "Island" appears to have been first adopted on British Admiralty charts in 1861, in the case of No. 2,430, Vancouver Island to Cordova Bay, originally published in 1856; and so introduced from a Russian chart of 1849.

Appendix
No. 43, p. 79,
Map No. 8.
Map No. 11.

The correct recognition of the island has been dwelt upon at some length, because, as will hereafter appear, the United States' authorities take the view that "Wales Island" to the north of the entrance to Observatory Inlet is "The Prince of Wales Island" of the Convention of 1825.

See p. 25.
See p. 75.
See p. 76.

The commencement of the line is described by the 3rd Article of the Convention as being at the point "le plus méridional de l'île dite Prince of Wales, le quel point se trouve sous la parallèle du 54^{me} degré, 40 minutes de latitude Nord, et entre le 131^{me} et le 133^{me} degré de longitude Ouest (Méridien de Greenwich)." And Article IV. further

SOUTHERN-
MOST POINT
OF PRINCE
OF WALES
ISLAND.

Appendix
No. 41, p. 79.

refers to the line as follows: "Il est entendu, par rapport à la ligne de démarcation déterminée dans l'Article précédent; 1^o Que l'île dite Prince of Wales appartiendra toute entière à la Russie."

It may at once be observed that it is highly improbable that the southernmost point of Prince of Wales Island or Archipelago will be found to be exactly in latitude 54° 40' N. In fact it has not yet been ascertained that the southern coast of Prince of Wales Archipelago has been surveyed by any reliable authority. It is certain that it has not been surveyed by any British authority since Vancouver's time.

Vancouver did not survey the southern coasts of the Prince of Wales's Archipelago; yet, until recently, the details given by his charts have been those entirely depended on.

The two prominent features of the south of the Prince of Wales's Archipelago are Capes Muzon and Chacon, both marked on Vancouver's chart as adopted from some other authority. He makes no reference to Cape Muzon in the text of his Voyage of Discovery, but he notes that he supposed he had recognised in the distance on the 14th August 1793, what Caamano had called Cape Chacon. Vancouver remarks (Vancouver's Voyages, 8vo. Ed., Vol. IV., p. 189), "About noon I landed on a small island lying to the 4to. Ed., Vol. II., p. 370),

"south from Cape Northumberland, where I observed the latitude to be 54° 51½' longitude 228° 55½'" (= 131° 4½' W. from Greenwich), "from this island, which is tolerably high, I gained a very distinct view of the surrounding rocks, and breakers in all directions, * * * * * From hence also the west point of entrance into this arm of the sea, called by Senr. Caamano—Cape de Chacon, lies S. 67 W. eight or nine leagues, and Cape Fox E. by S. five leagues distant."

Thus it will be apparent that Vancouver's determination of the position of Point Chacon did not pretend to be precisely accurate; there is even room to consider his recognition of Point Chacon as doubtful. He merely saw, at an estimated distance of 24 or 27 nautical miles, what—from Caamano's information,—he assumed to be Point Chacon.

From amongst leading authorities in nautical topography, the following items are noted with regard to Cape Chacon:—

A. G. Findlay's North Pacific Ocean and Japan Directory, Ed. 1886 (British), p. xvii. :—

N. Lat.	W. Long.	Authority
54° 42' 0"	131° 54'	Vancouver, &c.

and p. 599, "This latter cape is the S.E. point of the Prince of Wales Archipelago, "and bears S.W. ½ S. from the former" (= Cape Northumberland) "about 25 miles distant in

" Lat. 54° 43', N.

" Long. 131° 54' W."

In the edition of 1851, Part I. of the same work, at p. xxxix, the latitude is given as N. 54° 43', and the longitude as W. 131° 56'.

On the authority of Vancouver, and at page 442, it is said :—

"This latter cape is the S.W.* point of the Prince of Wales's Archipelago, and bears "W.S.W. from the former (= Cape Northumberland) 8 or 9 leagues off."

The Pacific Coast Pilot 1883 (United States), p. 64, says :—

"Nearly S.W. by W. from Barren Rock, according to Russian authorities about 24 "miles, is situated Cape Chacon or de Chacon, named by Caamano, and forming the "south-eastern point of Prince of Wales Island. * * * * * The outlines of the land "are very differently given by different authorities, but most of them agree in placing it "in about latitude 54° 42' N., and nearly or quite on the same parallel with Point "Nunez and Cape Muzon."

British Admiralty charts take the latitude of Cape Chacon from Vancouver's chart as 54° 42½' N.

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No. 43, p. 79.

Appendix
Map No. 6.

A large manuscript map compiled by Mr. L. Hebert, jr., in 1831, in the Colonial Office, assigns lat. 54° 40' N. to Cape Chacon; but there is nothing to indicate its authority, and it is probable that it is based on the latitude recorded in the Convention of 1825.

Cape Chacon has generally been considered the southernmost point of Prince of Wales Island referred to in the Convention; yet, as noted by the United States' Pacific Coast Pilot, it differs little, if anything, in latitude from Points Muzon, and Nunez, which, although on islands distinct from what is now called Prince of Wales Island, are nevertheless on part of the Prince of Wales's Archipelago, called Prince of Wales Island in the Convention of 1825.

The latitude of Cape Muzon, the south-western point of the Archipelago, is subject to similar doubt.

It has been seen that while Vancouver's record of the position of Cape Chacon was attributed to his own observation by Findlay's Directory of 1851, Vancouver himself refers to Caamano as his authority.

In Findlay's book of 1851 it will be found (Part I., page xxxviii.) that to Cape Muzon is assigned lat. $54^{\circ} 43'$ N. on the authority of Quadra in 1775.

According to the other authorities already mentioned, the references to Cape Muzon are to the following effect :—

Findlay's North Pacific Ocean Directory of 1886 does not assign a latitude to Cape Muzon. At page 605, it is said "of the coast of Prince of Wales Archipelago we know "but very little," and at page 606, "Cape Muzon, the S.E. (S.W.) point of the "Archipelago, is 12 miles to the east," i.e., from Port Bazan, but the latitude of Port Bazan is not given.

British Admiralty charts show the position of Cape Muzon as given on Vancouver's charts; but Vancouver indicates on the charts themselves that he noted Cape Muzon upon Spanish authority.

The United States' Pacific Coast Pilot (1883), p. 64, mentions that Capes Muzon, Nunez, and Chacon are nearly on the same parallel, $54^{\circ} 42'$; and, at p. 65, records a determination on the spot by Brundige, viz., $54^{\circ} 42' 15''$ N., and another by reconnaissance with reference to Howkan village, of which the latitude and longitude, $54^{\circ} 49' 39''$ N., $132^{\circ} 50' 12''$ W., were determined in 1881 by Lieutenant-Commander Nichols, U.S.N., giving $54^{\circ} 41' 4''$ N., $132^{\circ} 44' 7''$ W. as the position of Cape Muzon. Map No. 13.

The Colonial Office manuscript map of 1831, by Mr. Hebert, assigns $54^{\circ} 45'$ N. lat. to Cape Muzon, and about $54^{\circ} 42\frac{1}{2}'$ to Cape Nunez.

Russian official charts give the following latitudes to Capes Muzon and Chacon :—

	Muzon.	Chacon.	
Chart of 1802, Northern parts of the Pacific Ocean -	N. $54^{\circ} 43'$	$54^{\circ} 46'$	Appendix, Map No. 4. Map No. 7. Map No. 8. Map No. 9.
Chart, No. 1345, of 1844 Do. do.	" $54^{\circ} 45'$	$54^{\circ} 45'$	
Chatham Sound to Queen Charlotte Island, 1849	" $54^{\circ} 42'$	$54^{\circ} 42\frac{1}{2}'$	
Southern half of the Koloschensk Archipelago, 1853	" $54^{\circ} 42\frac{1}{2}'$	$54^{\circ} 42\frac{1}{2}'$	

In no case does the latitude appear to be given as $54^{\circ} 40'$ except in the Colonial Office manuscript map, which was probably, in this respect, drawn to accord with the latitude mentioned in the Convention, and in Arrowsmith's map of 1795 corrected in 1811, '18, '19, '20, '24, '33, '39, and 1850.*

The preceding notes make it appear that at the time of the Anglo-Russian Convention of 1825, and even so lately as 1867, when Alaska was transferred to the United States, the southernmost point of Prince of Wales Island had not been authoritatively ascertained and is still undetermined.

Similarly the longitude of the southernmost point of the island was not definitely determined, and it may therefore be assumed that the mention of latitude and longitude was made use of in order to indicate approximately the neighbourhood. That this is the correct interpretation may also be inferred from the construction of the sentence of the Convention (3rd Article) in which the latitude is named, and from several circumstances during the negotiations.

"A partir du Point le plus méridional de l'île dite Prince of Wales" are the words which first occur; and those that follow: "lequel point se trouve sous la parallèle du " 54^{me} degré, 40 minutes, de latitude Nord, et entre le 131^{me} et le 133^{me} degré de " longitude Ouest," are used merely parenthetically to facilitate reference to the geographical feature alluded to.

Taking the words as they occur, they are plainly the equivalent of "the line commencing at the southernmost point of Prince of Wales Island, which point we, the "negotiators, believe to be about latitude $54^{\circ} 40'$ N. and between 131° and 133° west "longitude."

The territory to be assigned and not a latitude or a longitude was the subject matter of the negotiations. The Russian Government had been ready to consider such a division of territory as might be marked out by the parallel of 55° N. lat., but finding this line would leave two comparatively small parts of the supposed island,

* Also in Arrowsmith's map of 1832 (Royal Geographical Society's Map room, No. 39) gives $54^{\circ} 40'$; but the map of 1795 corrected to 1814 gives $54^{\circ} 42'$.—D.R.C.

Prince of Wales's Archipelago, projecting on the British side, and would unnecessarily ignore the advantages of natural geographical features in connexion with international limits, they pressed for the southernmost point of the island as the commencement of the line.

In their reply to Sir Charles Bagot's first Projet the Russian Plenipotentiaries remarked:—

Appendix
No. 12, p. 42.

"Les propositions faites par les Plénipotentiaires de Russie à Sir Charles Bagot et que Son Excellence a été priée de prendre en mure considération, tendaient à faire admettre le 55^{me} degré de latitude septentrionale comme ligne de démarcation entre les possessions respectives sur la côte Nord Ouest de l'Amérique.

"Cette même limite a déjà été assignée aux possessions Russes par la charte que l'Empereur Paul 1^{er} accorda à la Compagnie Américaine.

"Comme la parallèle du 55^{me} degré coupe l'île du Prince de Galles dans son extrémité méridionale, laissant en dehors deux pointes de terre, les Plénipotentiaires de Russie ont proposé que ces deux pointes fussent comprises dans les limites Russes, voulant éviter par là, une division de territoire également incommode aux deux parties intéressées.

"Pour compléter la ligne de demarcation et la rendre aussi distincte que possible, les Plénipotentiaires de Russie ont exprimé le désir de lui faire suivre le Portland Canal jusqu'aux montagnes qui bordent la côte."

See also
p. 27.

These remarks show with perfect clearness that the governing idea in the minds of the Russian Plenipotentiaries, when embodying in the Convention the record of latitude and longitude, was to indicate a boundary by geographical features and not to require one to be determined by geodetic measurement. Having first proposed a parallel of latitude boundary, they modified their proposal in order that the line might accord with geographical features.

Appendix
No. 14, p. 43

Again, referring to the same subject, in their reply to Sir Charles Bagot's amended proposal, the Russian Plenipotentiaries recorded at a subsequent conference that, "Il était aussi de leur convenance mutuelle de déterminer ces limites d'après les séparations naturelles qui forment toujours les frontières les plus distinctes et les plus certaines."

Appendix
No. 14, p. 44.

"* * * On ne parlera point ici des deux pointes de l'île au Prince de Galles qui sont situées au-dessous de la ligne de 55^{me} degré de latitude nord. Ces deux pointes ne pourraient être d'aucune utilité à la Grande Bretagne, et si neuf-dixièmes de l'île du Prince de Galles appartiennent à la Russie il est évidemment d'un intérêt réciproque que l'île lui appartienne tout entière."

Latitude 54° 40' was mentioned in the 3rd Article of the Convention of 17th April 1824, between Russia and the United States, as the line limiting the extension of their respective nationalities on the N.W. coast and among its islands.

The negotiations with regard to the British Convention were proceeding at the same time as those of the Convention with the United States, but in the United States' Convention there was no mention made of Prince of Wales Island.

Appendix
No. 40, p. 68.
No. 41, p. 69.

The United States' Convention provided for a geodetic limitation pure and simple, not assigning sovereignty, but limiting future extension.

The British Convention described a line to be determined by geographical features,—of one of which the approximate geodetic position was named—to separate sovereign possessions.

Appendix
No. 17, p. 45.

As a matter of fact, 54° 40' was noted by Count de Nesselrode, in connexion with Prince of Wales Island, in his Despatch of the 5th April 1824, the day the Treaty with the United States was signed. But it is no more open to argue that 54° 40' was named in the British Convention because it occurred in the United States Convention, than it is to maintain that it was brought into the United States' Convention in consequence of its connexion with Prince of Wales Island—already accepted by the British.

Appendix
No. 15, p. 45.
No. 17, p. 47.

Presumption is strongly in favour of the latter view,—for it would appear that the only motive for selecting 54° 40' N. latitude as a limit to United States extension,—was the circumstance that, in their negotiations with the British—the Russians had already perseveringly urged a claim to sovereignty over the whole of Prince of Wales Island.

Appendix
No. 9, p. 36.
No. 11, p. 40.
No. 12, p. 42.
No. 17, p. 46.

Russia and the United States had previously concurred in selecting the parallel of 55° N. latitude.

PORTLAND
CHANNEL.
Appendix
No. 41, p. 70.

From the southernmost point of Prince of Wales Island the line is defined as one which remontera au Nord le long de la passe dite Portland Channel, jusqu'au Point de la terre ferme où elle atteint le 56^{me} degré de latitude Nord."

The ordinary English translation of the words "la passe dite Portland Channel," is "the channel called Portland Channel."

It will be found that Vancouver frequently used the word "canal" as synonymous with "channel."

In the original 4to edition, Vol. II., p. 371, of his work, and on his folio charts, the name appears as Portland Canal. Appendix
No. 36, p. 66.

In the 8vo edition, Vol. IV., p. 191, Portland Canal has been changed to Portland Channel. Appendix
No. 35, p. 66.

In both these cases *canal* and *channel* are used as descriptive of a narrow inlet.

КАНАЛ is the word used on Russian charts; it is literally and phonetically closely similar to the English and French word *canal*.

The French word *canal* is still the synonyme of both the English words *canal* and *channel*.

In the first contre Projet of the Russian Plenipotentiaries they speak of the feature as "le Portland Canal." Appendix
No. 12, p. 42.

In the rejoinder by the British Plenipotentiary it is referred to as "le Canal de Portland." Appendix
No. 13, p. 42.
No. 14, p. 43.

In the Russian reply, the name used is "le Portland Channel."

While, in answering, the British negotiator speaks of the water as "le Portland Canal." Appendix
No. 15, p. 44.

The entrance to Portland Channel is referred to by Sir Charles Bagot during his negotiation with the Russian Plenipotentiaries as being in latitude $54^{\circ} 45' N$.

In reply to the counter project submitted by the Russian negotiators Sir Charles Bagot says:— Appendix
No. 13, p. 42.

"il est à remarquer en réponse à la proposition faite par les Plénipotentiaires Russes, qu'une ligne de démarcation tracée de l'extrémité méridionale de l'île du Prince de Galles jusqu'à l'embouchure du Canal de Portland, de là par le milieu de ce canal * * * * * ôterait à Sa Majesté Britannique la souveraineté de toutes ces anses et de ces petites baies qui se trouvent entre les latitudes 56° et $54^{\circ} 45'$ dont plusieurs (à ce qu'il y a tout lieu à croire) communiquent directement aux établissements de la Compagnie de Hudson's Bay * * * tandis que de l'autre côté la Compagnie Russe Américaine ne possède aucun établissement sur la terre ferme entre les deux parallèles sus-mentionnées."

The Russian charts of this region published in 1862 and 1826 also give the latitude of the mouth of Portland Canal or Channel as $54^{\circ} 45\frac{1}{2}'$. Appendix
Map No. 4.
Map No. 5.

And Vancouver, by whom the Canal was named, (*see Vancouver's Voyages* Appendix
No. 36, p. 66. 8vo Edn., Vol. IV., p. 191)

4to Edn., Vol. II., p. 371) mentions the latitude of a point at its mouth within half a mile of the continental shore to the north as $54^{\circ} 45\frac{1}{2}'$ (*see Vancouver's Voyages* Appendix
No. 35, p. 66. 8vo Edn., Vol. IV., p. 146)

4to Edn., Vol. II., p. 344). Consequently there is no doubt as to the passage through which the boundary was intended to run from the ocean.

On the United States' chart, No. 225, S.W. coast of Alaska, Alexander Archipelago, corrected by United States' authorities up to 1882, the mouth of Portland Canal * is shown as between $54^{\circ} 45' N$. latitude, and $54^{\circ} 46'$. Appendix,
Map No. 7.

On the same chart the international boundary is erroneously marked as leaving Portland Canal $55^{\circ} 2'$ and passing to the ocean through the mouth of Observatory Inlet.

The United States' chart now referred to is based on the British Admiralty chart, No. 2431, Cordova Bay to Cross Sound, which, however, does not show the boundary line. This British Admiralty chart is founded on a Russian chart of 1853. The British survey of Observatory Inlet in 1868 has been embodied in the United States chart. Since the first publication of these British and United States charts there is indicated a regular interchange of hydrographical information between the two countries. Map No. 12.
Map No. 9.

Again, on the United States' chart, No. 710, Revilla Gigedo Channel, S.E. Alaska, 1885, from surveys in 1883, shows the entrance to Portland Canal as being in the latitude above noted. Map No. 15.

Thus, at the dates referred to, we find Russian, United States and British charts agree in the geodetic location of the ocean entrance to Portland Canal.

The course of the canal included under the name Portland is minutely detailed by Vancouver (*Vancouver's Voyages* Appendix
No. 35, p. 62. 8vo Edn., Vol. IV., pp. 132-146).

4to Edn., Vol. II., pp. 336-344). He sums up his notice of it thus: "In the forenoon we reached that arm of the sea, whose examination had occupied our time from the 27th of the preceding to the 2nd

* i.e. Vancouver's Portland Canal.

" of this month (August 1793). The distance from its entrance to its source is about " 70 miles; which, in honour of the noble family of Bentinck, I named Portland's Canal " (4to ed., Vol. II., p. 371).

The latitudes and longitudes given by Vancouver as those of the entrance and source of the canal,—the length 70 miles,—the chart records already referred to,—and Sir Charles Bagot's reference to the latitude of the entrance to Portland Canal, all concur in establishing the fact that Portland Channel as understood at the date of the Convention had communication with the ocean entirely distinct from the entrance to Observatory Inlet, called—only since about 1853—Portland Inlet.

Ante p. 6

It has already been explained that the southernmost point of Prince of Wales Island and the Portland Canal as regulating the boundary line, were adopted on the suggestion of the Russian Plenipotentiaries, as well marked geographical features conducing to international convenience as compared with a parallel of latitude at first desired by them; and, as a matter of fact, it would appear from the most reliable authorities that the southern point of the Prince of Wales Island and the ocean entrance to Portland Canal are not on the same parallel. It further appears— from the mention in the Convention (Art. III.) that the southernmost point of the Prince of Wales Island was supposed to be in about latitude 54° 40' N., while Sir Charles Bagot had referred to the entrance to Portland Canal being in 54° 45' N.,—that the negotiators did not suppose these places were on the same parallel of latitude.

See p. 25

Under these circumstances it follows that the boundary described by the Convention of 1825 as "*à partir du point le plus méridional de l'île dite Prince of Wales. * * * **" "*la dite ligne remontera au Nord le long de la passe dite Portland Channel,*" follows the course of a great circle between the south of the Prince of Wales Island and the centre of the Portland Canal ocean entrance.

Such a line is the most direct that can be drawn on the earth's surface between any two named terminal points. All points on it viewed from either extremity appear to be what would be popularly described as *in line*. It is consequently the simplest.

There are numerous rocky islets between Portland Canal and the south of Prince of Wales Island, and in case of the great circle line just referred to, intersecting any of these, it would be plainly in the spirit of the negotiations which resulted in the Convention of 1825, to rule that in case the great circle line between the southernmost point of the Prince of Wales Island and the entrance to Portland Canal be found to intersect any island, then the sovereignty of such island shall appertain wholly to that Power to which the great circle apportions the larger portion as determined by lower water sea-mark line. The southern parts of Prince of Wales Island were claimed—on similar grounds,—as appropriately appertaining to Russian territory.

It is further to be noted that between Prince of Wales Island and Portland Canal the international dividing line passes over open sea—much more extensive than would, under ordinary circumstances, have its sovereignty determined by a boundary line.

Notwithstanding the circumstance that the Convention of 1825 originated in the British objection to the Russian Ukase of 1821 assuming sovereignty over open ocean, there is room to doubt whether the Russian Government in concluding the Convention of 1825 may not have regarded its terms as implying a consent by the British Government to their claim to sovereignty over inter-insular sea limited by the line between Prince of Wales Island and Portland Canal.

Such a view would, however, be inconsistent with the claims generally advanced by the United States with regard to the definition of coast territorial waters.

From the British point of view it is most probable that the line between Prince of Wales Island and Portland Canal was regarded merely as a line limiting land territory; whereas the Russian point of view would probably have given it the aspect of determining water as well as land sovereignty.

The force of these remarks may be appreciated on perusal of the following extract from a Despatch (No. 29 of 24 July 1824) from Mr. G. Canning to Sir Charles Bagot:—

Appendix
No 25, p. 52

"By the territorial demarcation agreed to in this Project," (a Project sent for Sir Charles Bagot's guidance) "Russia will become possessed in acknowledged sovereignty of both sides of Behring's Straits."

"The Power which would think of making the Pacific a *mare clausum*" (this refers to the provisions of the Russian Ukase of 1821) "may not unnaturally be supposed capable of a disposition to apply the same character to a strait comprehended between two shores of which it becomes the undisputed owner. But the shutting up of Behring's Straits, or the power to shut them up hereafter would be a thing not to be tolerated by England."

* * * * *

"But in some way or other, if not in the form now prescribed, the free navigation of Behring's Straits, and the seas beyond them, must be secured to us."

Subsequently on 8th December 1824, Mr. G. Canning, in instructing Sir S. Canning with regard to Behring's Straits, gives his reasons for deciding to omit mention of Behring's Straits in the Convention.

Appendix
No. 29, p. 55.
Appendix
No. 31, p. 57.

Sir S. Canning, in Despatch No. 15 of Feb. 17, Mar. 1, 1825, when reporting the conclusion of the Convention, remarks:—

"With respect to Behring's Straits, I am happy to have it in my power to assure you, "on the joint authority of the Russian Plenipotentiaries, that the Emperor of Russia has "no intention whatever of maintaining any exclusive claim to the navigation of those "straits or of the seas to the north of them."

And there is no allusion to Behring's Straits in the Convention itself.

On the other hand Russia, by the 6th Article of the Convention, assented to the British claim to navigate the ocean to and from all rivers between Mount St. Elias and Portland Canal, flowing out of British territory. Yet as by the recent Treaty of Washington with the United States the British claim to navigate rivers, &c., within these limits is restricted by consent to navigation of the Stickeen, it is possible the United States might contend that they are by the Treaty of 1867 with Russia invested with territorial rights over all water between the islands on the coast, north of the southernmost point of Prince of Wales Island to Cape Spencer, approximately in latitude 58° 10' N., excepting only as regards approach to the Stickeen.

Under these circumstances it may be desirable that a definite understanding should be arrived at as to the meaning to be attached to the inter-territorial line from Prince of Wales Island to Portland Canal.*

Portland Canal, as described by Vancouver, and as known at the time of the Convention of 1825, was limited on its north and west by the continental shore, and on its east and south respectively by the mainland and islands separating it from Observatory Inlet, which inlet includes the recently named Portland Inlet.

There is still some doubt as to the exact position of the northern extremity of the Canal. Vancouver's record is 55° 45' N. lat., 230° 6' long. (= 129° 54' W. long.).

Recent observations (Commander Pender's Admiralty Survey 1868) assign a northerly extension of about 12 miles (55° 56' N.) to the Canal; but as the water in the Canal was found by Vancouver to be fresh for 20 miles from the point he noted as its termination, and it is known that two fresh water streams flow into it at its northern end, there is room for variety of opinion as to what exact point should be considered the head of the Canal.

Map No. 17.

"Vancouver 8vo. Edn., Vol. IV., p. 138 4to. Edn., Vol. II., p. 340 says, at 10 a.m., 29 July 1793, "it" (the Portland Canal) "was found to terminate in low marshy land," and he subsequently indicates that he did not stay to examine the locality, since he mentions that two hours afterwards, on his return journey, he had observed for latitude three miles to the southward. When, at 10 a.m. on the 29th July 1793, Vancouver reached the head of the Canal it was about dead low water of spring tides, and four days previously he had noted a rise of 20 feet in the Observatory Inlet. Such a rise in the neighbourhood of low marshy land might well account for variety of statement in recording the latitude of the termination of the Canal.

Appendix
No. 35, p. 64.

Appendix
No. 35, p. 62.
No. 44, p. 79.

The outline of Portland Canal is such that no difficulty should arise in coming to an agreement as to the exact position of the international line passing through it.

A few points, however, require preliminary consideration with a view to clearing the subject.

The Russian Plenipotentiaries when asked by Sir Charles Bagot to put their original verbal contre Projet in writing, thus referred to Portland Canal:—

"Pour compléter la ligne de démarcation et la rendre aussi distincte que possible les Plenipotentiaires de Russie ont exprimé le désir de lui faire suivre le Portland Canal jusqu'aux montagnes qui bordent la côte."

Appendix
No. 12, p. 42.

Sir Charles Bagot, in replying, commenced by a recapitulation of what he understood the Russian suggestion to be, and remarked, "En réponse à la proposition faite par les "Plenipotentiaires Russes, qu'une ligne de démarcation tracée de l'extrémité méridionale "de l'île du Prince de Galles jusqu'à l'embouchure du Canal de Portland, de là par le "milieu de ce canal jusqu'à ce qu'elle touche la terre ferme; de là jusqu'aux montagnes "qui bordent la côte."

Appendix
No. 13, p. 42.

* In this connexion, however, see Count de Nesselrode's statement after the conclusion of the Convention, as reported by Sir S. Canning, Appendix 34, p. 58.—D. R. C.

Sir Charles Bagot here plainly enlarged the claim made by the Russian Plenipotentiaries.

They did not propose that the line should ascend Portland Canal beyond the point at which the Canal intercepted the mountains bordering the main coast line: they submitted that the line should run up the Canal only "jusqu'aux montagnes qui bordent la côte." But Sir Charles Bagot assumed their meaning to be that the line should run throughout the length of the Canal.

The accuracy of Sir Charles Bagot's recapitulation of the Russian proposals was not, however, questioned by them; and as his interpretation of their proposal is not inconsistent with the terms used in the 3rd Article of the Convention, viz., "la dite ligne remontera au Nord le long de la passe dite Portland Channel," the interpretation must be accepted as deciding the meaning of these terms.

In a general sense it is quite practicable to draw a line midway between two others in the same plane which do not intersect; but theoretically, and assuming the measurements to be made from the external to the medial line, a line cannot be drawn so as to be equi-distant from two lines varying in direction, which are not themselves theoretically parallel to one another, and symmetrical.

Probably as strict a practical definition as can be given of a medial line suitable to the case under discussion is that it shall be a line so placed between the opposite Canal boundaries that lines intersecting it at right angles and limited by the opposite boundaries shall be bisected by it. The characteristic of such a line is that were a vessel moving along it, the boundaries of the Canal would be equi-distant on the vessel's beams. Yet the definition fails to satisfy the problem under the circumstances of sudden or angular change of direction or of breadth in the Canal, and requires to be supplemented by the following:—"Where the application of the foregoing definition fails to give a continuous line, a conventional medial line shall be agreed upon, so as to connect the adjacent extremities of the interrupted lines described in accordance with the definition."

For the purpose of simplifying the demarcation of the medial line, the outlines of the Canal should be conventionally modified into a succession of connected straight lines, and then the medial international line located with reference to these conventional lines.

Appendix,
Map No. 1

With regard to the course of Portland Channel in the neighbourhood of Tongass Island at the channel's mouth, it is clearly indicated by the red line drawn on the accompanying tracing from Vancouver's chart, No. 7. The red line illustrates Vancouver's exploratory boat track, which, as stated by him, followed the course of the channel he called Portland Canal.

Appendix,
Map No. 15

On the United States' chart, No. 710, of Revilla Gigedo Channel (1885), the topography is delineated on a somewhat large scale, and names are allotted to most of the principal geographical features. These names will make clear the following verbal description of the Canal boundary entrance.

Commencing between Tongass and Kannaghunut Islands the Canal throughout its length follows the continental shore line, leaving on its southern and eastern side, in succession—

Sitklan Island,
Wales Island,
Fillmore Island, and
Pearse Island.

Appendix,
Map No. 15.

This course allots to United States' territory a distinct entrance (of a minimum depth of 17 fathoms) round the North and East of Tongass Island.

The next point attracting attention, and apparently of much importance, is the determination of the place—at the northern extremity of Portland Canal, where the line leaves it.

The head of the Canal is the nearest route to the ocean for a British region of considerable extent to the north and east.

Appendix,
Map No. 17.

The Admiralty survey by Commander Pender, R.N., in 1868, is probably the most authentic available chart of this part of the Canal.

The survey shows Salmon River flowing in a south-easterly direction and Bear River in a south-westerly direction to conjunction at the head of the Canal.

The valleys of these two rivers are delineated as acutely separated by lofty mountains, which, rising precipitously from the water of the Canal, attain elevations of 2,000, 4,500, 5,000, and 6,000 feet in the course of a few miles.

By the survey the northerly course of the medial line of the Canal would terminate close to where soundings of 24 fathoms are shown on the edge of a sand-bank at the junction of the two streams with the Canal, approximately in $55^{\circ} 54\frac{1}{2}'$ N. lat.

Before passing on to the course of the line beyond the head of the Canal, it may be well to clear away ambiguity occurring in the wording of the 3rd Article of the Convention.

The words "la dite ligne remontera au nord le long de la passe dite Portland Channel, jusqu'au point de la terre ferme où elle atteint le 56^{me} degré de latitude nord" have been translated into English as follows:—"The said line shall ascend to the north along the Channel called Portland Channel as far as the point of the continent where it strikes the 56th degree of north latitude." Appendix No. 41, p. 70. See pp. 23-6

The original and the translation are both liable to be understood as implying that Portland Channel extends northward beyond 56° N. latitude; but that the boundary line is not to follow the course of the Canal further than the parallel of 56° . This interpretation is not, however, the only possible one, and, as will be seen, is incorrect.

In English and Russian charts at the date of the Convention the latitude of the northern extremity of Portland Canal is always shown as $55^{\circ} 45'$ N. as determined by Vancouver, excepting in the Russian chart of 1802, on which the latitude assigned is approximately $55^{\circ} 42\frac{1}{2}'$ N. From the date of the Convention until as recently as the survey by Commander Pender, R.N., in 1868, the accepted latitude has been $55^{\circ} 45'$ N. Commander Pender's survey assigns about $55^{\circ} 54'$ to the position where it may be assumed Vancouver considered the Canal to terminate, but this possible approximation to 56° N. lat. cannot be considered as affecting the point under discussion in any way. Appendix Map No. 1.

Not only is there the evidence of official charts, which were probably consulted by the negotiators, showing that Portland Channel did not extend so far north as 56° N. latitude, but there is on record that one of these charts was furnished to the British negotiator for the express purpose of the negotiation, and that he consulted Vancouver's chart, for he mentions the latitude given on these charts for the mouth of Portland Channel; and he gives reasons connected with the head of the Channel, for his contention that both shores of it should be British territory. There are also numerous other references made by both the British and Russian Plenipotentiaries to topographical details of the region, a knowledge of which at the time was obtainable only from Vancouver's charts or others founded on them. Appendix No. 13, p. 42. No. 15, p. 14.

Two references were made by the Russian Plenipotentiaries to the latitude of the head of Portland Canal as being 56° N., but under circumstances not requiring minute precision as regards latitude:—

In supporting their contre Projet they submitted arguments to Sir Charles Bagot in March 1824, remarking, "C'est par ces raisons que les Plenipotentiaires de Russie ont proposé pour limites sur la côte du continent au Sud, le *Portland Channel* dont l'origine dans les terres est par le 56^{me} degré de latitude nord, et à l'est * * * ." And again, "Le projet d'arrangement des Plénipotentiaires de Russie laisse ouvert à l'extension successive des Colonies Anglaises:—

"1° * * * * *"
 "2° Tout le territoire situé entre les établissements Anglais au 54^{me} et l'origine du *Portland Channel* qui est au 56^{me} parallèle."

In the first quotation the line of Portland Canal is roughly referred to as a southern boundary, whereas it is in fact almost due north and south, and therefore an eastern boundary; and like absence of precision is attributable to the reference to latitude. Appendix No. 14, p. 13.

Similarly in indicating general limits to another region in the case of the second quotation, the stretch between British establishments in lat. 54° and Portland Channel lat. 56° is mentioned. Neither latitude is correct, but both are sufficiently so for the use made of the reference to them. The reference in this case is plainly to trading where Fort M'Laughlin, in about $52\frac{1}{2}^{\circ}$ N., is noted by Arrowsmith.

But if these circumstances should possibly leave room for doubt that the negotiators were under the impression at least that it was probable Portland Canal did not extend so far to the north as 56° N. lat. there is the direct and conclusive evidence of the Russian Plenipotentiary himself,—Count de Nesselrode who subsequently, on the 5th April 1824, in writing instructions to the Russian Ambassador, remarks:—

"* * * nous proposons de porter la frontière méridionale de nos domaines au $54^{\circ} 40'$ de latitude et de la faire aboutir sur le continent au *Portland Canal* dont l'embouchure dans l'océan est à la hauteur de l'île du Prince de Galles et l'origine dans les terres entre le 55° et 56° de latitude;" and Mr. Canning's description of the line, to Sir Charles Bagot, on 12 July 1824. Appendix No. 17, p. 46. Appendix No. 24, p. 51.

Consequently the Plenipotentiaries could not have intended the formal declaration of their agreement to be interpreted as stating in effect that Portland Canal either passed or actually reached so high a latitude as 56° N.

Appendix
No. 17, p. 46.

The origin of the reference in the Convention to 56° N. latitude may be traced through another passage in the same Despatch from Count de Nesselrode to Count de Lieven; and in Sir Charles Bagot's Despatch of 1½ March 1824 to Mr. Canning.

No. 7, p. 34.
No. 11, p. 40.

The Count de Nesselrode remarks " * * * les dernières propositions de Sir Charles Bagot furent * * * de stipuler que notre frontière suivrait de cette île " (Prince of Wales) " la passe dite *Duke of Clarence Sound* et qu'elle n'aboutirait à la "côte qu'au dessus du 56° de latitude septentrionale."

Appendix
No. 29, p. 55.

Also the Count had been urging that the Russian territory on the coast should be of the uniform breadth of 10 marine leagues as far north as Mount St. Elias, to which exception was taken by the British authorities. Finally it was agreed that from the latitude of 56° northward the tops of the mountains next the sea should mark the line.

FROM
PORTLAND
CHANNEL TO
56° N. LAT.

Reverting again to the suggested interpretation of the 3rd Article of the Convention which would make it appear that the framers of the Convention supposed Portland Channel extended northward to 56° N. lat., it will be seen that the terms of the Treaty are directly opposed to such a rendering.

The second paragraph of the 4th Article of the Convention was originally embodied parenthetically in the 3rd Article as explanatory of the course of the line there described.

Appendix
No. 31, p. 57.

In the letter of Sir S. Canning of 17 February—1825, covering the Convention which he 1 March

had just concluded, he says to Mr. G. Canning:—"The second paragraph of the 4th Article had already appeared parenthetically in the 3rd Article of the Project and the whole of the 4th Article is limited in its signification and connected with the Article immediately preceding it, by the first paragraph."

Consequently, there are three references in the 3rd and 4th Articles, all referring to identically the same spot on the parallel of 56° N. latitude:—

- (a.) 3rd Art.—" * * jusqu'au point de la terre ferme où elle atteint le 56^{me} degré de latitude nord."
- (b.) 3rd Art.—" * * de ce dernier point la ligne de démarcation suivra la crête des montagnes."
- (c.) 4th Art.—" * * la crête des montagnes qui s'étendent dans une direction parallèle à la côte depuis le 56^{me} degré de latitude nord * *."

It is thus clear that the reference (c.) is not an allusion to a point on the Portland Channel, for "la crête des montagnes" cannot be on an inlet.

It is equally clear, both from the covering letter of Sir S. Canning and from the language of the Convention itself, that the point alluded to in (b.) is the same as that named in (c.).

It is no less clear that the words "de ce dernier point" in (b.) refer to the position described in (a.) as "jusqu'au point de la terre ferme où elle atteint le 56^{me} degré de latitude nord." And, consequently, the conclusion is irresistible, that "elle atteint le 56^{me} degré de latitude nord" does not refer to Portland Canal, but to the mainland, attaining 56° north latitude.

The mistaken interpretation of the Convention is due to the ambiguity in the use of the personal pronoun "elle" in the words "jusqu'au point de la terre ferme où elle atteint le 56^{me} degré de latitude." By the erroneous interpretation "elle" is made to refer to "la passe dite Portland Canal"; by the correct interpretation "elle" refers to "la terre ferme."

The acceptance of the word "elle" as referring to "la passe dite Portland Channel" involves grammatical error, confusion of ideas, and redundancy in the sentence.

Of the three feminine nominatives preceding "elle," viz., "la ligne," "la passe," and "la terre," grammatical rule refers the pronoun to the last.

The draftsman of the Article has evidently had in his mind's eye, when describing the line, a point in movement developing a line over stationary geographical features. The line, he proposes, shall go to the north along Portland Channel, up to the point of the continent, where it attains the 56th degree of N. latitude; from this point the line shall follow the tops of the mountains, &c.

If the words "where it attains" apply to the Canal, the idea of the draftsman has been confused; for in this case the point developing the line is supposed at first to be moving along a stationary geographical feature, and then without necessity, and in direct opposition to the governing idea of the composition, the draftsman neglects the developing point, and sets the geographical feature in movement of development until it reaches the 56° of latitude, then once more reverts to his main idea, and considers the

geographical features stationary, and a point to be moving over them developing a line.

The redundancy in the sentence on the supposition that "elle atteint" refers to "la passe dite Portland Channel," is still more striking. In this case there could be no occasion whatever for the introduction of the words "*de la terre ferme*." Without these words the sentence stands "la dite ligne remontera au nord le long de la passe dite Portland Channel jusqu'au point où elle atteint le 56^{me} degré de latitude nord."

On the other hand, as the intention was that the line should reach 56° of latitude, and it was believed that the Channel did not extend so far to the north, the words "de la terre ferme" are not only naturally introduced, but aid in avoiding ambiguity, since without them the inference might and probably would be that the line was to reach the parallel of 56° on the waters of the Channel; but with them it is prescribed that the end of the section of the line is to be found on a point "*de la terre ferme*."

Appendix
No. 40, p. 70.

That the expression "la terre ferme" may have been here used to indicate a point on the waters of Portland Channel is further negated by the reply (already quoted), of Sir Charles Bagot to the Russian contre Projet, in which he interprets their proposal to mean a line traced to the mouth of Portland Channel, thence along the middle of the channel "*jusqu'à ce qu'elle (la ligne) touche la terre ferme*."

Appendix
No. 13, p. 42.

The foregoing remarks show that the Convention of 1825, when defining the line subsequent to its arrival at the head of Portland Channel, requires that the boundary should run to a point on the parallel of 56° N. lat. and from the same point (*de ce dernier point*) continue onwards.

This point of the parallel of 56° N. lat. is defined in effect to be that, at not more than 10 marine leagues from the ocean, where the crest of the mountains nearest the ocean may be found, or, failing such mountains, a point on the parallel at 10 marine leagues from the ocean.

56° N. LAT.
TO 111° W.
LONG.

Little or nothing was known of the inland topography of Alaska, by the Negotiators of the Convention of 1825.

Vancouver's charts showed by conventional signs an unsurveyed mountainous region bordering on the coast; but both the Russian and British negotiators, while doubtful as to the intention of the authors of the charts, conceived the probability of these inland details being unreliable, and so framed the 3rd and 4th sections of the Treaty as to provide for this contingency.

The Russian Plenipotentiaries offered to secure to the British the unfettered navigation of all the rivers *qui aboutissent à l'Océan dans cette même lisière*. That is to say, they did not know what rivers there were, but their offer extended to any there might be.

Appendix
No. 12, p. 42.

The Russians repeated their proposal to the same effect as follows:—

"Les Plenipotentiaires de Sa Majesté Impériale prévoyant même le cas où, sur la lisière de la côte qui appartiendrait à la Russie, il se trouverait des fleuves au moyen des quels les établissements Anglais pourroient communiquer avec l'Océan, se sont empressés d'offrir par une stipulation éventuelle la libre navigation de ces fleuves."

Appendix
No. 14, p. 43.

Mr. Canning having referred the boundary question to the Hudson's Bay Company, their Governor in replying remarked: "Neither party have any very accurate geographical information with respect to the country in the immediate neighbourhood of the sea, and * * * the most satisfactory manner of settling this point probably would be by inserting in any article providing for the boundary on the mainland 'the nearest chain of mountains not exceeding a few leagues of the coast.'"

Appendix
No. 18, p. 48

Mr. Canning, in writing to Count de Lieven, refers to "rivers which *may* be found to empty themselves into the sea within the Russian frontier."

Appendix
No. 22, p. 50.

Again, in writing to Sir Charles Bagot, he says: "The seaward base of the mountains is assumed as that" (eastern) "limit. But we have experience that other mountains on the other side of the American continent, which have been assumed in former Treaties as lines of boundary, are incorrectly laid down in the maps; and this inaccuracy has given rise to very troublesome discussions. It is therefore necessary that some other security should be taken that the line of demarcation to be drawn parallel with the coast, as far as Mount St. Elias, is not carried too far inland. This is done by a proviso that that line shall in no case (*i.e.*, not in that of the mountains which appear by the map almost to border the coast turning out to be far removed from it) be carried further to the east than a specified number of leagues from the sea."

Appendix
No. 24, p. 51.

Then, Count de Lieven in writing to Mr. Canning says:—

"* * * il ne serait point impossible, vu le peu de certitude des notions géographiques que l'on possède encore sur ces parages, que les montagnes désignées pour limite s'étendissent par une pente insensible jusqu'aux bords même de la côte."

Appendix
No. 26, p. 52.

Appendix
No. 29, p. 55.

Impressed by the importance of guarding against the possible unintended consequence of topographical ignorance, Mr. Canning again reverts to the subject in writing to Sir Stratford Canning, and remarks:—

"The inconvenience against which we wished to guard was that which you know and can thoroughly explain to the Russian Plenipotentiaries to have existed on the other side of the American continent, when mountains laid down in a map as in a certain given position, and assumed in faith of the accuracy of that map as a boundary between the possessions of England and the United States, turned out to be quite differently situated, a discovery which has given rise to the most perplexing discussion. Should the maps be no more accurate as to the western than as to the eastern mountains, we might be assigning to Russia immense tracts of inland territory, where we only intended to give, and they only intended to ask, a strip of sea coast!"

Appendix

No. 11, p. 41.

Sir Charles Bagot, in explaining on the 17th March 1824 to Mr. Canning his reasons for suspending the negotiations, wrote:—"I certainly could not venture to take upon myself the heavy responsibility of making any further concessions of a territory, the value and possible local advantages of which I had no means of estimating, and which I believe are as yet imperfectly known."

From the foregoing quotations it is plainly evident that the negotiators of the Convention—one and all—were ignorant of inland Alaskan topography, and were alive to their ignorance.

Appendix,
Map No. 2.

In the Appendix will be found copies from two distinct charts of Vancouver's Atlas. These are so placed as to facilitate comparison.

The coast lines exactly corresponded:—the conventional mountain markings on the mainland do not correspond. What has been misread as the representation of a mountain range at, roughly speaking, 10 marine leagues inland, appears in one of the charts, but not in the other. The coast-line mountains appear in both. In neither is the inland mountain delineation such as to suggest that it was the result of detailed observation. The perspective views of the mountain scenery given in Vancouver's Atlas serve to interpret the conventional signs by which the general features are indicated. The text of his history throws further light on the subject.

Markings such as are given on Vancouver's charts along the coast of Alaska may also be seen on charts Nos. 3, 15, 16, and 17 of the Atlas of La Perouse's voyage—which preceded Vancouver's; and, on the charts of other authorities on the Pacific Coast of North America, prior to Vancouver, will be found the "caterpillar" class of delineations attributed by Mr. Bayard to the poor topographic skill of Vancouver.

Appendix,
Map No. 4.
Map No. 5.
Map No. 3.
Map No. 2.

The weight given to Vancouver's inland mountain topography, by the Russian authorities, may be very accurately estimated by a comparison of their charts of 1826 and 1802 with any corresponding one of Vancouver's.

But, to return to the course of the boundary line:—

When the two extremities of the section of the boundary between Portland Channel and 56° N. lat. are found, they should be connected by the arc of a great circle.

The marking of such a line will probably be found to present less difficulties than would the marking of any other line defined without reference to previously verified topographical details.

In a clear country an arc of a great circle is, of course, the simplest of all to mark out, since it lies wholly within a vertical plane. It is, in fact, what in popular language would be described as a straight line were it marked out by poles.

Commencing at the highest point of the parallel of 56° N. lat. in its course over the mountain nearest to the main coast line, the boundary is to run northward along the line of mountain tops nearest to the ocean, provided these be not more than 10 marine leagues from the ocean; where the non-existence of mountains may render the line indeterminate, it is to conform to the windings of the general coast line, but is never to exceed 10 marine leagues from the ocean.

Appendix
No. 11, p. 70.

It will be convenient here to quote the exact words of the Convention, of which it is submitted that the foregoing is a correct interpretation:—"la dite ligne remontera au nord * * * * * jusqu'au point de la terre ferme où elle atteint le 56^{me} degré de latitude "Nord; de ce dernier point la ligne de démarcation suivra la crête des montagnes situées parallèlement à la côte jusqu'au point d'intersection du 141^{me} degré de longitude ouest * * * * *"

"Il est entendu, par rapport à la ligne de démarcation déterminée dans l'Article précédent; * * * * * 2^o Que partout où la crête des montagnes qui s'étendent dans une direction parallèle à la côte depuis le 56^{me} degré de latitude nord au point d'intersection du 141^{me} degré de longitude ouest, se trouverait à la distance de plus de dix lieues marines de l'océan, la limite entre les possessions Britanniques, et la lisière de

côte mentionnée ci-dessus comme devant appartenir à la Russie sera formée par une ligne parallèle aux sinuosités de la côte, et qui ne pourra jamais en être éloignée que de dix lieues marines."

In these extracts from the Convention, the words "la crête des montagnes situées " parallèlement à la côte " are understood to refer to the *tops of the mountains next to the sea*, between 56° N. lat. and the intersection of the boundary with the meridian of 141° W. long.

The foundation for this interpretation is based upon the language of the Convention itself, and upon the remarks of the negotiators as to the object they had in view when drawing up the Convention.

On the 16th February 1824, at the first Conference of the Plenipotentiaries, Sir Charles Bagot proposed a boundary line passing through Chatham Straits to the head of Lynn Canal, thence N.W. to 140° W. long., &c.

Appendix
No. 11, p. 39.

The Russians replied verbally by proposing at first the parallel of lat. 55°, but subsequently in writing modified their suggestion and desired a line from the south of Prince of Wales Island up Portland Channel as far as the mountains bordering the coast, thence along these mountains to 139° W. long.

Appendix
No. 12, p. 42.

This proposal is the first occasion of reference to mountains along the coast, and several of the expressions in which it is couched were subsequently embodied in the Convention ultimately arrived at.

"Pour compléter la ligne de démarcation et la rendre aussi distincte que possible, les Plénipotentiaires de Russie ont exprimé de désir de lui faire suivre le Portland Canal jusqu'aux montagnes qui bordent la côte. De ce point la limite remonterait le long de ces montagnes parallèlement aux sinuosités de la côte, jusqu'à la longitude du 139^{me} méridien de Londres, degré dont la ligne de prolongation vers le Nord formerait la limite ultérieure entre les Possessions Russes et Anglaises au Nord, comme à l'Est."

Ibid.

It is to be noted then that the Russians were the first to propose the mountain boundary line and described the mountains to which they referred as those next the sea (qui bordent la côte).

In making a rejoinder Sir Charles Bagot, as already mentioned, commenced by recapitulating what he understood the Russian amended proposal to be, and referred to it as requiring that the line should pass from the head of the Portland Canal "jusqu'aux montagnes qui bordent la côte, et de là, le long de ces montagnes jusqu'à la longitude du 139^{me} degré."

Appendix
No. 13, p. 42.

Sir Charles then suggested that the following should be the line:—

A west and east line through the channel along the north of Prince of Wales and Duke of York's islands to the mainland, approximately at the mouth of the Stikeen River, and "de là se prolongeant dans la même direction sur la terre ferme jusqu'à un point distant " de la côte de dix lieues marines, la ligne remonterait de ce point vers le Nord ouest, " parallèlement aux sinuosités de la côte, et toujours à la distance de dix lieues marines " de rivage jusqu'au 140^{me} degré de longitude, dont elle suivrait alors le prolongement " jusqu'à la mer glaciale."

Ibid, p. 43.

Here the British Plenipotentiary proposes to diminish the southing of territory desired by Russia, but to increase its breadth. The Russians had proposed a line marked by mountains along the windings of the coast (parallèlement aux sinuosités de la côte).

Sir Charles Bagot replies by suggesting a broader strip of territory, but not extending further to the south than about 56° 31' N. lat., limited by an eastern boundary following the windings of the coast and always at 10 marine leagues from it.

Both parties had now adopted in the same sense the words "parallèlement à la côte." The Russians applied them to a line along mountains, and therefore necessarily irregular in direction. The British Plenipotentiary borrowing the words and their meaning applied them to a line commencing at 10 marine leagues inland without regard to mountains, but added "et toujours à la distance de dix lieues marines du rivage," thus pointedly indicating that he understood the borrowed words "parallèlement à la côte," merely in the sense of "along or in the general direction of the coast line," that is, in the sense in which they had been used by the Russian Plenipotentiaries.

Appendix
No. 12, p. 43.

When answering the last proposals by the British, the Russians speak of the mountain boundary suggested by them as "la chaîne de montagnes qui suit à une très petite distance " les sinuosités de la côte."

Appendix
No. 14, p. 43.

The British Plenipotentiary, while yielding in some measure with regard to insular territory, adhered to the continental line last proposed by him.

Appendix
No. 15, p. 45.

The Russian Plenipotentiaries then reverted to their original Projet, and thereupon the conferences ceased while references were being made to the British Government by both Sir Charles Bagot and the Russian Government.

No. 16, p. 45.

Appendix
No. 11, p. 39. In Sir Charles Bagot's Despatch of 1st March 1824, to Mr. Canning, will be found a full account of the negotiations up to that date.

Appendix
No. 17, p. 46. The points in dispute were communicated by Count de Nesselrode to the Russian Ambassador in London, with instructions for his guidance in submitting the case to the British Government.

Appendix
No. 17, p. 47. Count de Nesselrode, in his Despatch dated 5th April 1824, writes of the extent of territory on the coast desired by Russia in the following terms:—"Nous bornons nos demandes à celle d'une simple lisière du continent" * * * "elle (la Russie) se réserve uniquement un point d'appui."

Appendix
No. 18, p. 48. This Despatch was communicated to Mr. Canning, who consulted with the Hudson's Bay Company on the subject. The Governor of the Company in replying remarked on the 19th April 1824:—"They," the Company, "beg me, however, to suggest the expediency of some more definite demarcation on the coast than the supposed chain of mountains contiguous to it, and they conceive there can be no difficulty in arranging this point, from the expression in the proposition of the Russian negotiators "'la chaîne de montagnes, qui sont à une très petite distance des sinuosités de la côte.'" Neither party have any very accurate geographical information with respect to the country in the immediate neighbourhood of the sea, and if the intentions of the Russians are fairly to be inferred from the words used in their proposal, the most satisfactory manner of settling this point probably would be by inserting in any Article providing for the boundary on the mainland, 'the nearest chain of mountains not exceeding a few leagues of the coast,'"

Appendix
No. 22, p. 50. On the 29th May 1824, Mr. Canning, alluding to Count de Nesselrode's Despatch to the Russian Ambassador, informed Count de Lieven that he intended to send to Sir Charles Bagot further instructions, which he hoped would meet the views of the Russian Court, and remarked "Sir Charles Bagot's discretion will be so far enlarged as to enable him to admit, with certain qualifications, the terms last proposed by the Russian Government.

"The qualifications will consist chiefly in a more definite description of the limit to which the strip of land required by Russia on the continent is to be restricted in the selection of a somewhat more western degree of longitude as the boundary to the northward of Mount Elias, in precise and positive stipulations for the free use of all rivers which may be found to empty themselves into the sea within the Russian frontier and of all seas, straits, and waters which the limits assigned to Russia may comprehend."

Appendix
No. 21, p. 49. On the same day Mr. Canning informed Sir Charles Bagot of his correspondence with Count de Lieven, and transmitted copies to him.

Appendix
No. 23, p. 50. On the 29th June 1824, Mr. Canning told Sir Charles Bagot of his intention to furnish him with a draft Convention.

Appendix
No. 24, p. 50. On the 12th July the draft was sent with instructions.

Appendix
No. 26, p. 52. Before despatch to Sir Charles Bagot the draft Convention was submitted to the Russian Ambassador, who subsequently, on the 24th July 1824, remarked as follows:—

"Le Projet de Convention rédigé par le Cabinet Anglois fait courir la limite des Possessions Russes et Anglaises sur la côte Nord-ouest d'Amerique au sud du Mont Elie, le long de la base des montagnes qui suivent les sinuosités de cette côte."

"Il est à observer qu'en thèse générale, lorsqu'une chaîne de montagnes sert à fixer une limite quelconque, c'est toujours la cime de ces montagnes qui forme la ligne de démarcation. Dans le cas dont il s'agit ici, le mot de base par le sens indéfini qu'il présente, et le plus ou moins d'extension qu'on peut lui donner, ne paraît guère propre à mettre la délimitation à l'abri de toutes contestations ultérieures, car il ne serait point impossible, vu le peu de certitude des notions géographiques que l'on possède encore sur ces parages, que les montagnes désignées pour limite, s'étendissent par une pente insensible jusqu'aux bords mêmes de la côte."

It will thus be seen that not merely did the British negotiators stipulate for a boundary along the mountains which are next the sea, but they were plainly and thoroughly understood in this sense by the Russian negotiators.

Appendix
No. 24, p. 50. In the instructions accompanying the draft Projet sent to Sir Charles Bagot, on the 12th July, 1824, Mr. Canning says:—"His Majesty's Government have resolved to 'authorise your Excellency to take as the line of demarcation a line * * * * following the sinuosités of the coast along the base of the mountains nearest the sea to Mount Elias and thence * * * *"

"I enclose the draft of a Projet of Convention founded upon these principles, which your Excellency is authorised to sign previously to your quitting St. Petersburg.

* * * * *

"There are two points which are left to be settled by your Excellency, 1st, in fixing the course of the eastern boundary of the strip of land to be occupied by Russia on the coast. The seaward base of the mountains is assumed as that limit. But we have experience that other mountains on the other side of the American continent, which have been assumed in former Treaties as lines of boundary, are incorrectly laid down in the maps, and this inaccuracy has given rise to very troublesome discussions. It is therefore necessary that some other security should be taken that the line of demarcation to be drawn parallel with the coast as far as Mount St. Elias is not carried too far inland. This is done by a proviso that that line shall in no case (*i.e.*, not in that of the mountains which appear by the map almost to border the coast, turning out to be far removed from it) be carried further to the east than a specified number of leagues from the sea. The utmost extent which Her Majesty's Government would be disposed to concede would be a distance of ten leagues. But it would be desirable if your Excellency were enabled to obtain a still more narrow limitation.

"2ndly

In this quotation again occurs the word "*parallel*" applied in the wide sense of "*general direction*."

At the date of writing the Despatch above quoted Mr. Canning had not received Count de Lieven's note on the adoption of a mountain base line, but he received it on the 24th July 1824, and on the same day transmitted a copy of it to Sir Charles Bagot, remarking:—

"Your Excellency will observe that there are but two points which have struck Count Lieven as susceptible of any question: the first, the assumption of the *base* of the mountains instead of the *summit* as the line of boundary; the second, the extension of the right of the navigation of the Pacific to the sea beyond Behrings Straits."

Appendix
No. 25, p. 51.

"As to the first no great inconvenience can arise from your Excellency (if pressed for that alteration) consenting to substitute the *summit* of the mountains instead of the seaward base, provided always that the stipulation as to the extreme distance from the coast to which the *lisière* is in any case to run, be adopted (which distance I have to repeat to your Excellency should be made as short as possible) and provided a stipulation be added that no forts shall be established or fortifications erected by either party on the summit or in the passes of the mountains."

Here it should be noted that Mr. Canning in speaking of a *summit* line instead of a *base* line plainly refers to one and the same set of mountains, *viz.*, the mountains next the sea. He assented to the line being drawn over these mountains and not over others which might be beyond them.

Appendix
No. 29, p. 55.

For reasons, one of which referred to the mountain boundary line, the draft Convention did not prove acceptable to the Russian Court, who submitted a contre Projet, and on the 12th September 1824, Mr. Canning remarked to Count de Lieven:—"This refusal" *viz.*, to conclude the Treaty, "is the more unexpected as the chief alterations made in the original Projet were introduced here (as your Excellency can bear witness) at the suggestion of the Russian Plenipotentiaries themselves. I have not yet had time to give sufficient consideration to the contre Projet now presented on the part of those Plenipotentiaries to be enabled to say positively whether it can be accepted in all its parts." Mr. Canning concludes by desiring that the negotiations may be continued in London instead of at St. Petersburg.

Appendix
No. 29, p. 55.

Appendix
No. 27, p. 52.

Mr. Canning then referred the Russian contre Projet to the Hudson's Bay Company, of which the Governor, in replying, said, "it does not appear to me that the counter project of Russia is so essentially different from the one which His Majesty's Ministers have considered it advisable to propose to Russia, as far as the Hudson's Bay Company are concerned, to reject it except in the 2nd Art., which should more accurately define the eastern boundary from the Portland Canal to 61° of north latitude to be the chain of mountains at a '*très petite distance de la côte*,' but that if the summit of those mountains exceed ten leagues that the distance be substituted instead of the mountains."

Appendix
No. 28, p. 53

The proposal to continue the negotiations in London instead of at St. Petersburg was not carried into effect. Sir Stratford Canning was instructed to undertake the duty of British Plenipotentiary instead of Sir Charles Bagot, who had left St. Petersburg.

Appendix
No. 29, p. 53.

Sir Stratford was fully informed of all previous proceedings and was furnished with a copy of the last Russian contre Projet.

In his instructions to Sir Stratford, Mr. Canning remarks on that contre Projet, and says:—"The Russian Plenipotentiaries propose to withdraw entirely the limit of the *lisière* on the coast which they were themselves the first to propose, *viz.*, the summit of the mountains which run parallel to the coast, and which appear, according to the

Ibid. p. 55.

"map, to follow all its sinuosities, and to substitute generally that which we only suggested as a correction of their first proposition.

"We cannot agree to this change. It is quite obvious that the boundary of mountains where they exist is the most natural and effectual boundary. The inconvenience against which we wished to guard was, that which you know and can thoroughly explain to the Russian Plenipotentiaries to have existed on the other side of the American continent, when mountains laid down in a map as in a certain given position and assumed in faith of the accuracy of that map as a boundary between the possessions of England and the United States turned out to be quite differently situated. a discovery which has given rise to the most perplexing discussion. Should the maps be no more accurate as to the western than as to the eastern mountains, we might be assigning to Russia immense tracts of territory where we only intended to give, and they intended to ask, a strip of sea coast!

"To avoid the chance of this inconvenience we proposed to qualify the general proposition 'that the mountains should be the boundary' with the condition 'if these mountains should not be found to extend beyond 10 leagues from the coast.' The Russian Plenipotentiaries now propose to take the distance invariably as the rule. But we cannot consent to this change. The mountains, as I have said, are a more eligible boundary than any imaginary line of demarcation, and this being their own original proposition the Russian Plenipotentiaries cannot reasonably refuse to adhere to it.

"Where the mountains are the boundary, we are content to take the *summit* instead of the 'seaward base' as the line of demarcation."

"A *Projet*, such as it will stand according to the observations of this Despatch, is enclosed, which you will understand as a guide for the drawing up of the Convention, but not as prescribing the precise form of words, nor fettering your discretion as to any alterations not varying from the substance of these instructions.

* * * * *

"It remains only in recapitulation to remind you of the origin and principles of this whole negotiation. It is *not* on our part essentially a negotiation about limits.

"It is a demand of the repeal of an offensive and unjustifiable arrogation* of exclusive jurisdiction over an ocean of unmeasured extent; but a demand qualified and mitigated in its manner, in order that its justice may be acknowledged and satisfied without soreness or humiliation on the part of Russia.

"We negotiate about territory to cover the remonstrance upon principle.

"But any attempt to take undue advantage of this voluntary facility we must oppose.

"If the present *Projet* is agreeable to Russia, we are ready to conclude and sign the Treaty.

"If the territorial arrangements are not satisfactory we are ready to postpone them, and to conclude and sign the essential part, that which relates to navigation alone, adding an Article stipulating to negotiate about territorial limits hereafter.

"But we are not prepared to defer any longer the settlement of that essential part of the question, and if Russia will neither sign the whole Convention, nor that essential part of it, she must not take it amiss that we resort to some mode of recording in the face of the world our protest against the pretensions of the Ukase of 1821, and effectually securing our interests against the possibility of its future operations."

From the foregoing extracts it will be seen that Sir Stratford Canning had no option left to him with regard to the terms upon which he was to agree to the continental boundary line; and that the terms were, in so far as the mountain line is concerned, identical with those contained in the last instructions to Sir Charles Bagot, with the sole exception that Sir Stratford Canning was now directed to require "a small extension" of the line of demarcation, from the point where the *lisière* on the coast terminates in latitude 59°, to the northward. The extension required being "from 139° to 141° W. long."

Appendix

No. 22, p. 50.

"This point had been signified to Count de Lieven, but Mr. Canning had omitted to mention it to Sir Charles Bagot. Reference is first made to it when Mr. Canning assents to the line passing up Portland Channel.

It follows that what has been said as to the sense in which phrases were used while Sir Charles Bagot was British Plenipotentiary applies with equal force to their use while Sir Stratford Canning was acting.

The same mountains—those next the sea—are referred to throughout; the same probability of the distance of the mountains from the coast being found to vary considerably

* Contained in the Ukase of 1821.—D.R.C.

is expressed, and the same general parallelism is implied by the words "parallel to the coast" and '*parallèlement à la côte.*'"

Sir Stratford Canning arrived at St. Petersburg on the $\frac{17}{29}$ January 1825, and on

Jan. 28 1825 reported having re-opened negotiations with the Russian Plenipotentiaries,

Feb. 9 1825 mentions having read Mr. Canning's last Projet to the Russian Plenipotentiaries.

Appendix
No. 30, p. 56.

Sixteen days subsequently— $\frac{\text{Feb. 17}}{\text{Mar. 1}}$ 1825—he reports having concluded and signed the Convention on the previous night, and mentions the points in which the Convention varies from the Projet as originally submitted by him; stating—

Appendix
No. 31, p. 57

"The line of demarcation along the strip of land on the north-west coast of America assigned to Russia is laid down in the Convention agreeably to your directions, notwithstanding some difficulties raised on this point as well as regards the order of the Articles by the Russian Plenipotentiaries."

In this passage there is the most direct evidence of the construction to be put upon the provisions of Articles 3 and 4 of the Convention with regard to the mountain boundary line.

The line agreed upon was the one described by Mr. Canning, whose meaning had been fully and clearly explained, and was perfectly understood by the Russians.

So well did the Russians understand what the British proposal was, that they pointed out the mountains' base line might be found to coincide with the coast line itself; and foreseeing difficulty in determining a base line—but only on this account—suggested that the *tops* of the mountains instead of their *seaward bottoms* should be accepted as regulating the boundary. In the 4th Article of the Convention—the Russian coast territory between Portland Channel and 141° W. long., is described as "*la lisière de côte,*" i.e., "*the marginal strip of coast.*"

Appendix
No. 26, p. 52.

Mr. Canning in acknowledging on 2nd April 1825 the receipt of the signed Convention informs Sir Stratford of His Majesty's particular satisfaction at the conclusion of the Treaty in a manner so *exactly conformable to the instructions* given to him.

Appendix
No. 33, p. 57.

Passing next to the expression "*la côte*" occurring in the 2nd and 3rd Articles of the Convention, it can easily be shown that the general coast line of the continent, exclusive of inlets, creeks, and similar narrow waterways, is the sense in which the words are used.

In their reply to Sir Charles Bagot's second proposal, the Russian Plenipotentiaries, in suavizing up the effect of their suggestion in respect to British interests, speak of the extent of coast line and of territory left to British occupation; and say—

Appendix
No. 14, p. 42.

1° Toute la partie de la côte située entre l'embouchure du *Portland Channel* et le 51^{me} degré latitude nord, envisagé comme limites des Possessions Russes dans l'Oukaze de 4/16 Sept. 1821.

2°. Tout le territoire situé entre les établissemens Anglais au 54^{me} et l'origine du *Portland Channel* qui est au 56^{me} parallèle.

3°. Tout le territoire situé derrière la chaîne de montagnes * * *

In these sentences it is apparent that the Russian Plenipotentiaries used the word *côte* as not embracing the shore lines of Observatory Inlet and of Portland Canal, nor of the extensive inlets upon which is marked by Arrowsmith the English trading post Fort M'Laughlin, approximately in latitude $52\frac{1}{2}^{\circ}$ N.

Map No. 10.

Sir Charles Bagot, when reporting to Mr. Canning the check which happened in the negotiations, spoke of his proposal "being coupled with the concession of a line of coast extending ten marine leagues into the interior of the continent." This can hardly be understood to mean a breadth of ten marine leagues measured eastward from the head of the inlets.

Appendix
No. 11, p. 40

Mr. Canning, when enlarging the discretion of Sir Charles Bagot, wrote, "It is therefore necessary that some other security should be taken, that the line of demarcation to be drawn parallel with the coast as far as Mount St. Elias is not carried too far inland."

Appendix
No. 24, p. 54

"This is done by a proviso that that line shall in no case (*i.e.*, not in that of the mountains which appear by the map almost to border the coast, turning out to be far removed from it) be carried further to the east than a specific number of leagues from the sea. The utmost extent which His Majesty's Government would be disposed to concede would be a distance of ten leagues."

This language is inconsistent with the supposition that the coast line was considered by Mr. Canning to extend to the heads of inlets. He did not contemplate the extension of the *lisière's* breadth in dependence upon the undefined lengths of inlets.

Appendix
No. 17, p. 46.

Count de Nesselrode speaks of Portland Canal as being within the ocean boundary of the continent. When instructing Count de Lieven as to the points to be referred to the British Government, Count de Nesselrode says:—"Nous proposons de porter la frontière méridionale de nos domaines au 54° 40' de latitude, et de la faire aboutir sur le continent au Portland Canal, dont l'embouchure dans l'océan est à la hauteur de l'île du Prince de Galles et l'origine dans les terres entre le 55° et 56° de latitude."

Thus the Count regarded and spoke of the mouth of Portland Canal as a point on the continental coast, but alluded to the Canal itself as being within the continent.

Appendix
No. 13, p. 42.

Sir Charles Bagot had stated the belief that between 54° 45' and 56° N. lat. there was direct communication by inlets with British trading posts. The Russians replied by admitting the existence of British posts at 53° and 54° N. latitude near the coast, but submitted Sir Charles could not point to any British establishment actually on the ocean coast line.

Appendix
No. 14, p. 43.
No. 17, p. 47.

The reference is understood to be to Millbank Sound, the position marked on Arrow-smith's map as Fort M'Laughlin, on an inlet.

Appendix
No. 15, p. 44.

Sir Charles Bagot rejoined by declaring that there existed a British post "même près de la côte au nord du 55^{me} degré." This probably referred to either a trading post at Nesse harbour* within Observatory Inlet or at the mouth of the Stickeen.

But to whatever particular station allusion was made the argument was of the following kind. The British asserted that the continental coast line should belong to the Power which had settlements on it. The Russians admitted the principle, but denied that British posts on inlets could be held to be on the coast.

Appendix
No. 16, p. 45.

In maintaining their views the Russians subsequently asserted "Qu'au reste, d'après le témoignage des cartes les plus récentes, publiées en Angleterre il n'existe aucun établissement Anglais ni sur la côte même du Continent, ni au Nord du 54° degré de latitude septentrionale."

Appendix
No. 17, p. 47.

Similarly Count de Nesselrode, in writing to Count de Lieven, repeats the argument:—"Ou ne peut effectivement assez le répéter, d'après le témoignage des cartes les plus récentes, l'Angleterre ne possède aucun établissement, ni à la hauteur du Portland Canal, ni à bord même de l'Océan."

The preceding passages show that during the negotiations the shores of inlets were not included in the meaning intended to be conveyed by the words "la côte." This is perfectly in accord with the wording of the Treaty itself.

In the 2nd clause of the 4th Article provision is made for the case of the mountains being found at more than 10 marine leagues inland, and it is there laid down that the measurement shall be made, not from inlets, but from the ocean.

The Convention stipulates, "Que partout où la crête des montagnes, qui s'étendent dans une direction parallèle à la côte * * * se trouverait à la distance de plus de dix lieues marines de l'océan * * * la limite * * * sera formée par une ligne parallèle aux sinuosités de la côte, et qui ne pourra jamais en être éloignée que de dix lieues marines."

The word "océan" is wholly inapplicable to inlets. Consequently the line, whether marked by mountains or only by a survey line, has to be drawn without reference to inlets.

Had it not been so clearly provided against by express stipulation in the 2nd clause of the 4th Article of the Convention, and by the accepted principles of international law, it might, in the case of the absence of mountains, be argued that the breadth of the *lisière* should be measured from the sea water's edge wherever—in inlet or elsewhere—it outlined the continent. And that this being the coast line where no mountains exist within 10 leagues, is equally the coast line whence to determine the mountains nearest to the coast.

But, as said above, inlets in either alternative—the occurrence or non-occurrence of mountains within 10 leagues,—are not part of the coast line determining the boundary.

None of the inlets between Portland Channel and the meridian of 141° W. long. are six miles in width, excepting, perhaps, a short part of Lynn Canal. Consequently, with that possible exception, the width of territory—on the coast assigned under the Convention to Russia,—may not be measured from any point within the mouths of the inlets. All the waters within the mouths of the inlets are as much territorial waters, according to an universally admitted international law, as those of fresh-water lake or stream would be under analogous circumstances.

* The Hudson's Bay Company who, in 1831, erected buildings for their trade at Nesse harbour, styled the post "Fort Simpson," until its abandonment in 1835, and its replacement by the present Fort Simpson.—See Appendix 28, p. 53, in which a British trade establishment at latitude 57° N. is mentioned by the Governor of the Hudson's Bay Company, and Maps 7, 9, and 10.—D.R.C.

The question of the water being salt or fresh is not one in any way affecting the argument.

As far as non-mountainous country may extend—but within 10 marine leagues of the ocean—the inlets are in fact included by the Convention within *la lisière de côte mentionnée ci-dessus comme devant appartenir à la Russie.*"

On the other hand so much of these inlets as happen to be in mountainous territory, or beyond 10 marine leagues from the ocean, together with the dry land about them, is assigned to Great Britain as much as are rivers and lakes in the same regions.

Nothing short of an express stipulation to the contrary effect would, it is conceived, serve to maintain the proposition that inland waters in the *lisière de côte* assigned to Russia were not part and parcel of that *lisière*.

But if they were really part and parcel of the *lisière* itself, their mere existence cannot possibly be a reasonable foundation for arguing that they involve an increase of the breadth of the *lisière* of which they are component parts.

The limits of the *lisière* are, by the Convention, expressly dependent on the relative positions of ocean line and neighbouring mountain line. There is not the faintest suggestion throughout the negotiations of any intention to refer the breadth of the *lisière* to any other standards, and the only reference to inlets in the Convention (Art. VII.) is in a form almost directly declaratory of assent to the doctrine of territorial authority over them.

If the sovereignty over inlets does not pass in accordance with the doctrine that they are part and parcel of the surrounding territory, there was no occasion for the reciprocal concession made in the VII. Article of a right to navigate these inlets.

Regarded from this point of view rivers and inlets are identical.

As reasonable then would it be to hold that under the Convention the breadth of the *lisière* assigned to Russia is determined by the head waters of its rivers, as that the head waters of its creeks and inlets regulate the breadth.

From the point where the eastern limit of the *lisière* attains 141° W. long., the boundary line follows the meridian to the Arctic Ocean. There is no room for difference of opinion as to the intention of the Convention in respect of this section of the line.

Appendix
No. 41, p. 70.
Art. IV.

Appendix
No. 41, p. 71.

MERIDIAN
LINE OF
141° W.
LONG.

PROBABLE COST of marking the British Alaskan Boundary.

No international agreement has yet been arrived at with regard to the interpretation of the terms of the Convention defining the British Alaskan boundary.

Under these circumstances no reliable estimate of the cost of effecting the demarcation can be formed.

In 1874-5, when it was anticipated that the demarcation was about to be effected, detailed estimates of the cost were prepared for Her Majesty's Government and for the Government of the United States. Those estimates, of which there were several, varied widely, for they were based on the assumption of there being alternative methods, one or other of which might have been selected as that to be acted upon.

Excluding the consideration of a line to be determined under fresh conditions to be agreed upon between the two countries now concerned, the lowest estimate submitted was one providing for the marking of a very few points on the boundary, suggested by the United States Government.

The highest estimates provided for the location of the line on the supposition that a large part of it would traverse an exceptionally mountainous region, between the parallel of 56° N. latitude and Mount St. Elias parallel, in an approximately mathematical sense, to the windings of the coast, including in those windings the intricate outlines of all inlets, &c.

An examination of the records of the negotiations which resulted in the treaty definition of the boundary, has served to show that the extreme difficulties upon which the larger estimates were based, have not to be met. At the same time it becomes apparent that the adoption of the temporary expedient of marking a few points, regarded at present as prominent, under natural but erroneous views of the terms of the treaty, is not one which it is desirable to follow.

The incomplete marking of a boundary is largely open to the well-founded objections to which total absence of marking is open.

It has been asserted that the boundary runs at places through valuable mineral regions.

In such a country partial demarcation may be even more dangerous internationally than no marking at all, for from partial marking opposing interests would inevitably

See Dominion of Canada, Sessional Papers, 1878, Vol. XI., No. 125.

draw arguments to justify occupation, and to support pretensions at spots where marking happened to be absent.

The objection to partial demarcation, because inefficient for the object aimed at, is enhanced by consideration of cost.

Interrupted procedure involves repeated outfit and organization, and these entail heavy additional expenditure.

The cost of demarcation of the line, if located as indicated in this Report, would approximately amount to 300,000/. (=81,500,000) on the British side; and would entail five years' field work.

In the absence of a definite decision as to the principle upon which the Convention is to be interpreted, it would be quite useless to enter here into a detailed examination of the probable cost of completing the work.

The sum now arrived at, it may be stated, is based upon the following data and considerations:

1st. That before the work is undertaken there shall be a thorough understanding between the two Governments—British and United States—as to the interpretation of the terms of the Convention.

2nd. That the Commissioners entrusted with the execution of the work should, before going into the field,—confer and arrive at agreement as to the details for giving effect to the decisions of their Governments.

3rd. That on the British side the organization of the expedition shall be practically such as was detailed in the estimate submitted in 1875 for marking the line according to the United States suggestion for determining only a few points, but making allowance for the work taking more time, and for the sum apportioned to mules, forage, and civilians being available for steam water-transport, boats, and crews, to the extent that it may be found desirable to thus apply it.

By the arguments presented in this Report it would appear that, consistently with the terms of the treaty with Russia, the line does not run through the interior of the mountainous region between Portland Channel and Mount St. Elias, but skirts it on the seaward side; and consequently that for this portion of the boundary the location of the line may be approached at all points to within a few miles by water.

On the other hand, there may be entailed hitherto unforeseen hydrographic survey between Prince of Wales' Island and the north-eastward part of Pearse Island, and possibly in the neighbourhood of Lynn Canal.

REMARKS ON THE VIEWS OF THE UNITED STATES GOVERNMENT as expressed in the INSTRUCTIONS OF MR. SECRETARY BAYARD TO MR. PHELPS, UNITED STATES MINISTER, of 20th November 1885, and the LETTER OF MR. PHELPS to the MARQUIS OF SALISBURY of 19th JANUARY 1886.

Mr. Phelps' letter encloses a copy of Mr. Bayard's instructions; and, essentially, is limited to a repetition of some of Mr. Bayard's remarks.

These commence by stating that the British Alaskan water boundary, although not a subject of doubt to the United States Government, has been misunderstood in other quarters, and that the land supposed to follow a mountain range is impracticable of survey, if not geographically impossible.

Mr. Bayard then proceeds to note that it may fairly be assumed that the negotiators based a theoretical boundary on what they believed to be a substantially correct representation of geographical features on charts before them; and he subsequently adds that it may be assumed with confidence that the charts employed in the negotiation were those of Vancouver.

Passing over such points in Mr. Bayard's instructions as do not appear to be concerned in supporting the views he expresses, it may be noted with regard to his remark that "the inland boundary is supposed to follow a mountain range," the statement may not be left without comment.

When mountains are mentioned as a boundary, without any understanding or explanation, it is generally assumed that the general watershed line of the mountains is that intended; and this acceptance is based upon the circumstance that a watershed is the only well defined line on a mountain,—and of the many that may exist in a range of mountains, the principal is the only one common to all the region embraced.

If Mr. Bayard refers to a *mountain range as regulating* the Alaskan boundary in the foregoing sense, he cannot have known of the discussions which passed between the negotiators, nor sufficiently considered the wording of the Convention.

The treaty describes the line as marked by the crest of mountains situated along the coast. Why this reference of the mountains to the coast? If a line having mountains intervening between it and the coast had been intended, would it be reasonable to refer it to the coast, and to give no other indication of its location. The general watershed line could not have been meant, for that, by the flow of rivers, was known to all to be far inland. The passage is surely most simply interpreted as equivalent to saying that the line is marked by the tops of the mountains next the coast. And this is in fact an exact condensation of the terms in which the British negotiators explained the meaning of the sentence to the Russian authorities, and it was so understood by the Russians.

The French text does not speak of the line as being marked out by *une chaîne de montagnes située parallèlement à la côte* (a mountain range along the coast); but it individualises and specifies the mountains describing the line as following *la crête des montagnes situées parallèlement à la côte*, that is following the line of the tops of the mountains next the coast.

As previously explained there was a discussion between the British and Russians whether the line should be along the seaward base of the mountains or over their tops, and the Russian Minister pointed out the difficulty in locating a base line referring at the same time to the precedents afforded by treaty practice for selecting the top line instead of the bottom line; but he offered no argument in favour of a general mountain range watershed line; and no such argument would have been apposite, for the only advantage of a general watershed line is facility in determining its location. But this advantage was already attained in a higher degree by the coast line mountains being selected, for their location was really far easier to identify than that of general watershed mountains.

Mr. Bayard attributes what he conceives to be errors on the part of the negotiators of the Convention, to inaccuracy in Vancouver's charts, yet so far as these charts bear upon the water boundary question they are still indisputably correct; but, as regards the topography along the land boundary they never professed to be correct, and the negotiators of the treaty fully appreciated their unreliability in this respect.

There is no point touched by the Convention, in connexion with the water boundary, which is not thoroughly intelligible from Vancouver's charts, nor any point which has had additional light thrown upon it by subsequent explorations.

Two Russian charts, one of 1802 and another of 1822, are known to have been consulted by the British negotiators; further, it is known that Arrowsmith's maps of that date were consulted by the Russians, for they refer to the location of the posts of the Hudson's Bay Company which were to be found only on Arrowsmith's maps, and they allude—in records of the negotiations, to these data as given by the most recent and reliable English maps; a remark which could only apply to the work of Arrowsmith. He was the most esteemed British geographer at the time. He was hydrographer to H.R.H. the Prince of Wales and geographer to the Hudson's Bay Company. But his maps of the Alaskan coast line, as all others, including Russian and United States, of the same region at that date were based upon Vancouver's charts.

Vancouver's charts may thus be accepted as having guided the negotiators in their definition of the water boundary; but cannot be accepted as having determined their description of the land boundary in any other sense than that where the name Portland Channel occurs it is due to Vancouver. On the other hand it is certain that the belief of the negotiators that Vancouver's inland topography was not reliable led to their defining a line which might have as well been described had the map before them presented only the sea line—on an otherwise blank sheet—from Portland Inlet to Mt. St. Elias and thence to the Arctic Ocean. Both the British and Russian negotiating authorities recorded their sense of the necessity of describing such a line as should be independent of the location given to inland features on the maps before them.

Nevertheless it is a fact that the negotiators noted on Vancouver's, or on some other* map—it matters not by whom made—what they interpreted to imply a mountain range closely bordering on the coast.

Vancouver's Charts show such indications; in one case closely following the water line, in another at some leagues inland. Chart VII. shows both ranges. Chart XII. shows only a single range.

The United States photographic copy of Chart VII. has not reproduced the shore line range with as much force as they appear in the original, while the inland range, more decided for graphical effect, is in consequence of its bordering blank paper still further intensified by comparison, and has naturally been selected by Mr. Bayard as illustrating the text of the Convention. But irrespective of the actual existence of either of the

Appendix.
Map No. 2
Map No. 3

* See the Russian map of 1802, No. 1, and of 1826, No. 5, and Appendix Nos. 7 and 8 p. 34 and 19 p. 55.—D.R.C.

ranges supposed to have been imaged in Vancouver's charts and noting only the water line range, it may be asked in what respect the delineation of the water line range fails to illustrate the text of the Convention with as much verisimilitude as the remoter range?

Appendix,
No. 24, p. 51.

Appendix,
No. 26, p. 52.

Map No. 2.

Map No. 3.

Map No. 4.

Map No. 5.

Mr. Canning describes the map topography as representing mountains almost bordering the coast, and the Russians wrote of the mountains as those *qui bordent la côte*, and also as likely to be found sloping into the sea itself! Is the inland chain or is the coast line chain the more likely to have been the subject of these remarks?

It would be unnecessary to offer an explanation of the inland details noted on Vancouver's published charts were it not that attention has been directed to their supposed inaccuracy in order to strengthen an erroneous interpretation of the Convention.

Any one familiar with map making and map reading will at once recognise Vancouver's indications of mainland mountain topography as mere conventional signs in use for many years and arranged for pictorial effect, to represent unsurveyed supposed mountainous regions. Any one possessed of Vancouver's Atlas must have noted on its pages undoubtedly careful perspective views of the mountains bordering on the water line, and these pictures must carry conviction to an observer's mind that Vancouver could not possibly have seen from his boats the range which it is erroneously alleged he intended to depict as existing many leagues inland.

Moreover the history of Vancouver's explorations for the illustration of, and in connexion with which the Atlas was published, leaves no room for doubt that none of Vancouver's expedition penetrated inland on the Alaskan coast beyond a distance of being within call of their boats on the beach.

In reporting the completion of his coast survey Vancouver writes:—

"I am at length able to inform you of our having finally traced and determined the continental boundary of North-west America from the latitude of 24° 54' north and longitude 244° 33' east; north-westward through all its various turnings and windings so far as its different inlets have been found safely navigable for our boats, to Cape Douglas." And in allusion to the principal object of his expedition, the discovery of a navigable passage between the Pacific and Atlantic, he continues to say:—"During the investigation we have never been able to penetrate beyond the barrier of the lofty mountains which, covered with eternal snow, extend nearly in a connected chain along the western border of the continent, I believe, to its utmost limits."

Many times too in his history Vancouver refers to lofty mountains sloping abruptly and precipitously into the sea itself on the Alaskan water line.

The mountains enclosing Portland Channel are now known to attain 2,000, 3,000 and 4,000 feet in height, and their neighbours beyond even 6,000 feet.

So precipitous are these and so close to the water that Vancouver's party was driven by the rising tide from his camp to his boats; and Commander Pender's party had a like experience in recent years.

Such is the character of the features conventionally recorded by Vancouver's water edge marking and involved configuration inland.

Such is the general character of the country which it is alleged proved Vancouver to be *but a poor topographer*, Vancouver, whose chief duty was to map the coast line, and upon whose work many of the most reliable maps of the present day are largely based, and for many details are even wholly dependent. A poor topographer because he did not accurately delineate the inland features of a country through which, in supporting another point in his contention, Mr. Bayard alleges it would be impracticable to survey a single frontier line!

Whatever errors may have been committed in reading Vancouver's charts are certainly not attributable to him; and, as has been remarked, with regard to the inland frontier the negotiators, whatever may have been the opinion they formed of Vancouver's intention, guarded against being led into error by depending upon his details.

Mr. Bayard makes the qualified admission that Vancouver may have at one time regarded the Pearse Canal of later geographers as the lower part of Portland Canal.

Appendix
No. 35, p. 62.

The fact that he did so is however clearly on record in his history. He describes Portland Canal in detail from its head to its junction with the ocean, and distinguishes it from the entrance to Observatory Inlet, and did not subsequently modify his view.

Appendix
No. 35, p. 59.

The southern and northern points of the entrance *now* called Portland Inlet, he named Point Maskelyne and Point Wales, and gives the latitude of the southern point.

" 35, p. 66.
" 34, p. 67.

He also gives the latitude of a point of land at the entrance to Portland Channel or Canal.

Alluding to these two passages Mr. Bayard contends that a boundary line deflecting "to the northward from the broad waters of Dixon Entrance and passing through a narrow and intricate channel lying north-westward from Portland Inlet known on the United States Coast Chart of 1855 as Pearse Channel until it suddenly deflects south-

"ward again at right angles to re-enter Portland Inlet, thereby appearing to make
 "British territory of Pearse and WALES ISLANDS, and throwing doubt on the nationality
 "of several small islands at the south-western extremity of WALES ISLAND is in
 "manifest contradiction with the treaties, which provided that the island called PRINCE
 "OF WALES'S ISLAND shall belong wholly to Russia."

Appendix
 No. 42, p. 75.

The contention apparently depends upon the relation of the suggested line to Wales Island, and on the assumption that Wales Island and Prince of Wales Island are one and the same. Ibid, p. 76.

But Wales Island, so called about 1853 from Wales Point which was named by Vancouver, is between the mouths of Portland Channel and Observatory Inlet, and 40 miles to the east of Prince of Wales Island; nor in the Convention is there any reference whatever to Wales Island.

In the description given above by Mr. Bayard of a line suggested by some one, it is not quite clear to what particular channel *north-westward from Portland Inlet* he refers. There are several channels, and there is some indication in Mr. Bayard's remarks that a channel which is not the entrance described by Vancouver, is alluded to. Appendix
No. 42, p. 75.
No. 35, p. 66.

The suggested line under discussion by Mr. Bayard is spoken of as deflecting *northward from the broad waters of Dixon Entrance*, and Mr. Bayard makes no remark upon its course up to the point of deflection. This silence is only consistent with Mr. Bayard's subsequent arguments, founded on the assumption that the treaty prescribes a parallel of latitude line through Dixon Entrance.

But it has been shown in the course of this Report that the negotiators did not contemplate a parallel of latitude line, and there is no allusion to any such line in the Convention. Apart from the evidence furnished by records of the negotiations of the intention of the framers of the Convention to connect the southernmost point of Prince of Wales Island with the entrance to Portland Channel by a direct line, there is the internal evidence in the Convention itself. When it was intended in the case of the meridian of 141° W. longitude that the boundary should follow a geodetic line, it was so explicitly stated, and when it was desired that the line should be determined at any point by geodetic measurement, it was so explicitly stated; as for example, the intersection with the parallel of 56° N. latitude, and again the termination of its westerly course at the meridian of 141° W. longitude. In each of these cases the intention is stated with perfect clearness and decision; the terms in which the provisions are expressed in the Convention leaving not a shadow of a doubt that geodetic determination governed the location of the line. Ante, p. 6.

Under these circumstances and in the absence of any direct statement in the Treaty to support the contention, the assumption that a parallel of latitude was intended to be the course run between named terminal geographical features is untenable.

Again, Mr. Bayard speaks of the line passing by the north-west of Pearse Island, then *turning southward again at right angles to re-enter Portland Inlet*. It is extremely difficult to follow this description unless, indeed, it be intended to convey the idea that the line on re-entering Portland Inlet is supposed to run up the remainder of Observatory Inlet instead of up Portland Channel as described in the Convention.

Regarding Pearse Channel, which is a direct continuation of the upper waters of Portland Channel, as merely the lower part of Portland Channel, it is difficult to discover on what principle anyone could have suggested that the line should leave the Portland Channel to re-enter what is now called Portland Inlet at a point where that inlet is admittedly in conjunction with Observatory Inlet.

Mr. Bayard indeed desires to dispute the conformity of the suggested unreasonable line with the terms of the Convention; but, in submitting his arguments against it, he assumes details which cannot be assented to.

The true ocean entrance to the Portland Channel of the Convention is by Fort Tongass, and the line up the channel allots Wales, Pearse, and other islands to Great Britain. Appendix
Map No. 15.

Mr. Bayard interprets the 3rd Article of the Convention as directly stating that Portland Channel reaches as far north as 56° N. latitude. See p. 17.

At a first reading of the English translation as quoted in the printed copy of Mr. Bayard's instructions, the apparent meaning is that the said line shall go by way of or through Portland Channel, northward until it strikes 56° N. latitude. Appendix
No. 41, p. 70.
No. 42, p. 75.

The personal pronoun it in the quoted English translation might possibly be referred to either the line, or Portland Channel, or the continent.

The words are "the said line shall ascend to the north along the Channel called Portland Channel, as far as the point of the continent where it strikes the 56th degree of north latitude."

The use of the word *strikes*, with relation to a continent, is so exceptional as to lead one to conclude that by "*it strikes 56° N. latitude*," the translator cannot have meant that *the continent strikes 56° N. latitude*.

But in the French text the equivalent words are "*elle atteint le 56^{me} degré de latitude " nord ;*" and there is nothing in the word *atteint* which makes it exceptional to refer it to *la terre ferme*.

It may be mentioned that on the French text being submitted to two Parisian literary gentlemen without comment, each of them said that *elle* referred to *la ligne* ; but, on its being pointed out that *atteint* appeared in the present tense, each of them stated that according to strict grammatical rule, *elle* as used, referred to *la terre ferme*. Neither of these gentlemen was aware of the circumstances of the case, and had only the words before them to go by.

If the English translation were worded "to the point of the continent where it attains " 56° N. lat.," there would be no room for the suggestion that the terms of the Convention were inconsistent with the features to which they referred, and with the details of the maps upon which the terms were based. *Attains* is a truer translation of *atteint*, than *strikes* is. And inasmuch as—even in the English translation—if, of two fairly legitimate but different renderings, one is consistent with facts and the other inconsistent, it is not too much to assume that the consistent rendering is that which should govern the interpretation.

At the same time, it is not admitted that the English translation of the Convention is authoritative. The ratification is in French.

Mr. Bayard's
Instructions,
p. 75.
p. 76.

Mr. Bayard having remarked that "there are evident reasons for believing" that the authors of the Anglo-Russian Treaty of 1825 had for their purpose "the location of the " natural boundary line in the broader channel called Portland Inlet on the Admiralty " and United States Coast Survey Charts" refers to "Portland Channel, Portland Canal, " or Portland Inlet as it is indifferently styled on the several charts."

As previously noted, ante p. 7, in the 4th edition of Vancouver's History, *Portland Canal* is the name applied to what, in the subsequent 8vo edition, is styled *Portland Channel*. On his charts the name is invariably "Portland Canal." During the negotiations both names were used. But on no chart up to and for many years after the Convention can there be found the name Portland Inlet ; and, when thereafter it is found to occur, it is believed to be invariably limited to the entrance of Observatory Inlet, a totally different channel from that of Portland Canal as described by Vancouver, and clearly so indicated on the Russian chart of the southern half of Kolschensk Archipelago, 1853.

Appendix
No. 35, pp. 59
-62
No. 36, p. 66.
No. 37, p. 66.
No. 38, p. 67.
Map No. 9.
Appendix
No. 13, p. 12

In addition it will be remembered that Sir Charles Bagot, one of the British negotiators, clearly marked his knowledge of the difference between Portland Canal ocean entrance and the more recently styled Portland Inlet, by naming very approximately the latitude of the former.

Ex. Russian
Chart of about
1825 No. 5.
Arrowsmith's
of 1795 con-
verted to 1814
H. S. Tanner's
of 1822.

It may further be remarked that until the results of the Convention gave special importance to Vancouver's Portland Channel, geographers regarded Observatory Inlet as the more important of the two, for on some maps both channels were named, but on others Portland Channel was delineated without name, while Observatory Inlet was distinguished by name.

Ex. Stan-
ford's
Library Map
of the World
1872.

Then in subsequent years Portland Canal, as the more important channel, appears named, while Observatory Inlet is sometimes shown without name.

At first there was no special importance attached to Portland Channel ; but Observatory Inlet was noted as the inlet in which a series of astronomical observations were taken by which the surveys of the neighbouring region were finally corrected. So soon, however, as Portland Channel was understood to be the continental southern limit of Russian territory, the temporary interest attached to Observatory Inlet sank into insignificance when compared with the permanent interest now connected with Portland Canal ; and this change is reflected in the details given by map makers.

Appendix
No. 42, p. 75.
Appendix
No. 43, p. 79.
Map No. 17.

It is believed that no chart or map by any maker at all can be produced showing the supposed location of the boundary line as passing through the entrance of Observatory Inlet until after that entrance was styled Portland Inlet. So far as can be traced it would appear that this name was first applied some time about the year 1853. Mr. Bayard appears to be under a misapprehension in supposing that British Admiralty Charts or Surveys shew the boundary as passing through Portland Inlet. It is not so shewn on Commander Pender's Survey of 1868, quoted by Mr. Bayard, nor on Admiralty Chart No. 2,431, to which a reduction from that Survey has been added.

Even were such a chart producible it could not have any bearing on the case, unless indeed it were of a character to demonstrate the international understanding between Russia and Great Britain arrived at in 1825.

On the other hand the sequence of events, the styling of Observatory Inlet entrance Portland Inlet, and the location of the boundary through it, are strongly suggestive of cause and effect.

Mr. Bayard refers to the direct ocean entrance to Observatory Inlet being more navigable than the direct ocean entrance to Vancouver's Portland Channel, as a ground for assuming that the negotiators intended the line to pass through the former.

Mr. Bayard's Instructions p. 76.

But this is entirely an "ex post facto" argument, or involves the assumption that the negotiators had made themselves acquainted with the navigability of the two channels.

It is unnecessary to refer here again to the declared motives determining the selection by the negotiators of the line of Portland Canal. Navigation was not an element in it. But assuming for the moment that it was likely to have been so, whence did the negotiators arrive at the knowledge which guided them?

See ante p. 6 -8.
Appendix No. 14, p. 43.
No. 16, p. 45.
No. 17, p. 47.

On the charts, Vancouver does not note soundings. In the details recorded in his History could they alone have hoped to find the information necessary to guide them to a conclusion which—under the supposed circumstances—must have impressed them as of over-ruling importance. But, if these gentlemen referred to Vancouver's History for such details, is it possible to conceive that while they were tracing in his text the course of what they called Portland Canal, they were in fact examining his description of what he called Observatory Inlet? If such an examination of Vancouver's text, as is here supposed, had actually been made by the negotiators, their investigations must have extended to the neighbouring channels, and again they are found reading the text description of one channel believing it to be the description of an entirely different channel.*

Moreover the records of the negotiations are not merely silent with regard to the navigability of Portland Canal, but they afford no trace of an operating motive for determining the southern limit of Alaska by navigable water.

The Russians recorded their opinion that the boundary should be drawn with a view to prevent collisions between the traders of Russian and British nationalities. Sir Charles Bagot pressed upon their attention that British trade was being carried on about latitude 55°, that is the Nasse River trade through Observatory Inlet. There is every natural reason then to suppose that the line would, by mutual consent of the parties, have been by preference located through Vancouver's Portland Canal in which neither urged any existing predominant claim, than through Observatory Inlet in which the British had an exceptional interest.

Appendix No. 14, p. 43.
No. 15, p. 44.

It is also to be remembered that the first Russian proposal was to draw the line from Prince of Wales Island only to Portland Canal, and thence only so far up it as to reach the mountains bordering the coast. In this there is no suggestion of their aim being to obtain inland navigation, for the impression, a true one, was that the mountains came close to the water's edge. The extension of the line throughout Portland Canal plainly originated in a misinterpretation of the Russian original proposal, still, however, without any idea of navigation on the part of the British or of the Russian negotiators.

Appendix No. 12, p. 42

The selection of the entrance to the Portland Canal having been thus determined, it is not open now to contend in effect that a line more advantageous to the Russians might have been selected, and consequently probably was intended to be described, although as a matter of fact not so described.

Ante, p. 10.

It is further to be noted that such an argument as that, founded on a presumed intention to draw the line along the most navigable course, cannot be effectively used by the United States authorities, for when the question of St. Clair Flats Canal was raised some years ago, the United States maintained in effect that a line described as to be drawn from the inflow of a navigable stream into Lake St. Clair, thence to its outflow from the lake through another navigable channel was not necessarily a line along the most navigable channel, in fact the only natural one, of the stream entering the lake.

Mr. Bayard concludes his enumeration of "evident reasons" for assuming that the negotiators intended to describe a line passing through Portland Inlet, that is to say, through the ocean entrance of Observatory Inlet, by remarking:—

"It is not therefore conceived that this water part of the boundary line, can ever be called in question between the two Governments."

Each of the reasons upon which Mr. Bayard's conclusion is based has been discussed in more or less detail, with the effect of showing that they are, without exception, due to erroneous views. It would therefore appear to be unnecessary now further to extend the examination of them.

But notice has to be taken of Mr. Bayard's references to the line between the head of Portland Channel and the parallel of 56° N. latitude.

* There are no more channels in the neighbourhood than Vancouver's Observatory Inlet and his Portland Channel. If the negotiators studied Observatory Inlet, mistaking its description for that of Portland Channel, they must also have mistaken the description of Portland Channel for that of Observatory Inlet.—D.R.C.

Appendix No. 42, p. 76. Alluding to an alleged error in the Treaty description of this part of the line, Mr. Bayard says, "This, however, is of little importance, for, with the better topographical knowledge we now possess, we know that a Conventional line, in continuation of the general trend of the mid-channel line, would strike the 56th degree of north latitude at a distance of some four or five miles inland."

Ibid, p. 76. Again, he speaks of "the intersection of the mid-channel line of Portland Channel with the 56° north parallel."

Ibid, p. 77. And yet again, "the line projected from the mid-channel line of Portland Channel intersects at about the 56th degree of north latitude the back bone range in question."

These remarks are all made on the assumption that the direction of the line in its northward course on leaving the head of Portland Channel is governed by its antecedent course.

There is nothing in the terms of the Convention to sustain this assumption.

The intersection of the boundary line with the parallel of 56° N. latitude is clearly described in the 3rd and 4th Articles of the Convention to be alternatively at one or other of two points, namely, if there be no mountains on the parallel within 10 marine leagues of the ocean, then at that point of the parallel which is at 10 marine leagues; if there be mountains on the parallel within 10 marine leagues of the ocean, then at the point where such mountains are next the sea.

The two terminal points of this section of the line are thus definitely indicated.

Ante, p. 11. Mr. Bayard's argument involves disregard of the meaning of the words "à ce dernier point" in the 3rd Article of the Convention.

See ante, p. 12. These directly assert that the line, in its northward course, is to leave the parallel of 56° N. latitude at the precise spot at which it arrives at the parallel from the southward.

The points at which Mr. Bayard would have the line intersect the parallel of 56° N. latitude exceeds 10 marine leagues from the ocean.

See ante, pp. 19-21. It has been shown that *inlets* are not included, as supposed by Mr. Bayard, in the term *la côte* regulating the course of the line; if further confirmation of this were needed it may be gathered from the fact that on the opposite assumption it would be impossible to find any one point on the parallel of 56° N. latitude at which the line might arrive from the southward and pass northward without direct contradiction of the language of the Convention.

What is now advanced may be realised from the following explanation. Part of the parallel of 56° N. latitude is the chord of an arc of 10 marine leagues radius from the head of Portland Channel. On the supposition that the outline of inlets forms part of *la côte* whence the breadth of *la lisière* is to be measured, and that there are no mountains, the boundary line may not intersect this chord; for, if it does, in its course north of the parallel it must traverse territory within 10 marine leagues of the coast.

Assume next that there are mountains on the parallel. In this case a point of intersection of the arc with the parallel is the point of arrival and departure of the line.

It cannot be the eastern intersection for this would involve a departure north very many leagues beyond the prescribed limit.

It cannot be the western intersection except on the chance, infinitesimally small, that at this point the crest of the mountains bordering the coast, occur.

Appendix No. 42, p. 77. Mr. Bayard in concluding his instructions to Mr. Phelps makes a long and interesting quotation from a report by Professor Dall.

None, it is believed, of Professor Dall's published accounts of his explorations in Alaska touch the region between Mount St. Elias and Portland Canal; and there is some uncertainty whether his quoted description of the region is founded on direct personal experience, or merely on reasoning from what he saw in a country somewhat remote from the location of the part of the line under discussion.

Accepting the descriptions, however, as correct, Professor Dall's explanations of the difficulties in drawing the alternative lines he alludes to, are in a great measure indisputable, but there is one line to the demarcation of which he attributes no physical difficulty.

Appendix No. 42, p. 77. "The single continuous range being nonexistent, if we attempt to decide on the 'summit' of the mountains we are at once plunged into a sea of uncertainty."

"Shall we," he asks, "take the ridge of the hills nearest the beaches?"

And—replying to himself—continues—

"This would give us, in many places, a mere strip of territory not more than three miles wide, meandering in every direction."

This—excepting the allusion to supposed excessive meandering—happens to be the very line indicated by the Convention, in case the country should be mountainous.

The breadth of coast it assigns to the United States, according to Professor Dall, is just such as the Russian Plenipotentiaries assumed it might be found to do. See ante, p. 16.

The "mere strip of territory" precisely describes what the British negotiators reluctantly assented to, and what the Russians agreed to.

The words used by Professor Dall are in fact almost the exact equivalent of those used by the Russians in urging their claim to at least touch the continent. "Nous bornons nos demandes à celle d'une simple lisière du continent." Appendix No. 17, p. 47.

"* * * il ne serait point impossible, vu le peu de certitude des notions géographiques que l'on possède encore sur ces parages que les montagnes designées pour limite s'étendissent jusqu'aux bords même de la côte." Appendix No. 26, p. 52 Art. VI, p. 71.

And Mr. Canning, instructing Sir Stratford Canning, mentions the same border as what "we (British) only intended to give and they (Russians) only intended to ask, a strip of sea coast!" Appendix No. 29, p. 57.

The alternative lines enumerated by Professor Dall are all based on erroneous interpretations of the Convention already dealt with.

It cannot be expected that the "beach hills" are marked *in situ* by a continuous ridge; but the tops of the hills next the sea mark the line of the Convention; and, in the absence of any certain topographical information, the negotiators could not possibly, it is thought, have selected a line simpler to recognise and easier to mark. No sea of mountains has to be explored, but from the parallel of 56° N. latitude to the neighbourhood of Mount St. Elias the demarcation may be effected from a convenient sea base line no where distant from the working parties more than a few miles.

Professor Dall's arguments are directed to questioning the advantages—from a surveyor's point of view—of a mountain boundary line. Appendix No. 12, p. 47. No. 29, p. 57.

The Russian and British negotiators selected a mountain boundary line in consequence of its advantages as an international limit.

A geodetic line—such as Professor Dall desires—is most difficult to mark in a mountainous region, and is almost wholly dissociated from the objects to be subserved by an international boundary.

Statesmen may not limit their view to the considerations of the physical difficulties in marking national boundaries.

D. R. CAMERON, Colonel R.A.
1886.

No. 2.

MEMORANDUM of the CIRCUMSTANCES which led to the CONCLUSION of the CONVENTION between GREAT BRITAIN and RUSSIA of 1825, relative to Trade in the Pacific, and the Limits of their Possessions on the North-west Coast of America.

IN September 1821 the Emperor of Russia issued an Edict, containing regulations relative to trade on the eastern coast of Siberia, the North-west coast of America, and the Aleutian, Kurile, and other islands of the Pacific.

These regulations granted to Russian subjects an exclusive right of commerce, whaling, and fishery in all the islands, ports, and gulfs, from Behring's Straits to the fifty-first degree of north latitude, and from the Aleutian Islands to the eastern coast of Siberia, as well as along the Kurile Islands, from Behring's Straits to the South Cape of the Island of Urup, to the 45° 50' of north latitude.

All foreign vessels were prohibited, under the penalty of confiscation, from approaching this territory within 100 Italian miles, unless driven by stress of weather, &c., and even then they were forbidden to carry on any trade whatever, either with the natives or with the Russian American Company.

On the publication of the Ukase, the Russian Minister for Foreign Affairs stated to Sir Charles Bagot that the object of it was to prevent the "commerce interlope" of the citizens of the United States, who were not only in the habit of resorting to the Russian coasts and islands of the Pacific, for the purpose of interfering in the Russian trade with China in the lucrative sale of sea otter skins, but were also in the constant habit of introducing prohibited articles, and especially gunpowder, into the Russian dominions in that quarter. The Russian Minister also said that representations had been repeatedly made upon this subject to the American Government, who had professed to be unable to control their citizens in those distant seas; but had intimated that they should not take in ill part any measures which the Russian Government might deem it expedient to adopt for the protection of its own rights.

Baron Nicolay communicated the Ukase officially to Lord Londonderry, and the question was then submitted to the King's Advocate.

Sir Christopher Robinson reported, that the object of Russia appeared to be to obtain indirectly the acknowledgment of territorial rights assumed over a portion of sea that might become of great importance with reference to trade, and in consequence of the discoveries which were making in that quarter; that a right of sovereignty over a sea of such extent, merely because its opposite limits touched the possessions of the same Power, was much greater than was ordinarily recognised by the principles of the Law of Nations; and that it may be expedient to declare the intention of His Majesty's Government to adhere to those established principles, and to deprecate any infringement of the usual rights of commerce.

Lord Londonderry accordingly acquainted Count Lieven that he was directed to make such a provisional protest against the enactments of the Ukase as was necessary in order to save the rights of His Majesty's Crown, and of the persons and property of His Majesty's subjects; that the British Government were willing to enter into amicable explanations on the question; but that, in the mean time, it could not admit that the intercourse which had previously existed in those seas could be deemed to be illicit, even supposing that the vast and imperfectly occupied territories, which were considered as erroneously claimed by Russia, really belonged to His Imperial Majesty.

Verbal communications afterwards passed between Count Lieven and the Duke of Wellington, in London and at Verona, in consequence of which it was proposed by the former that a negotiation upon the subject should be entered into at St. Petersburg.

Sir Charles Bagot was immediately instructed to open the discussion, and full powers to conclude a treaty were forwarded to him.

During the discussions an overture was made by the United States to join in the negotiation, which was accepted by the two Powers; and as it was understood that Russia had waived her extravagant pretension of maritime jurisdiction, there was every prospect of the conclusion of a tripartite convention upon that point.

With respect to the territorial question, it was intimated to Sir Charles Bagot that the British Government would prefer a fixed line of demarcation to a joint occupancy, and that a line drawn at the fifty-seventh degree between the Russian and British settlers would be an arrangement satisfactory to His Majesty, and would assign to Russia as much as she could justly claim.

Sir Charles Bagot, in conversation with Count Nesselrode, observed that, as the United States could make no pretension to territory so far north as the fifty-first degree, the question of boundary would rest between Russia and Great Britain alone; that the pretension of Great Britain had always extended to the fifty-ninth degree of north latitude, but that his Majesty was disposed to consent to take as the line of demarcation the fifty-seventh degree, to the southward of which it was supposed that Russia had no settlement.

The American Minister (Mr. Middleton) at St. Petersburg, however, soon afterwards received his instructions, from which it appeared that the United States asserted an equal pretension, at least, to that of either Great Britain or Russia, to the whole of the coast as high as the sixty-first degree, and an absolute right to be parties to any subdivision of it which might be made. This pretension and right were stated to be grounded upon the Treaty of 1819, under which the Floridas were ceded to the United States by Spain; and it was alleged that the United States, having by that treaty become possessed of all claims which belonged to Spain, to the north of the forty-second degree, and Russia having already disclaimed, in 1790, all interference with the pretensions of Spain, south of the sixty-first degree, any division of the coast between the forty-second and sixty-first degrees ought, in strictness, to be made solely between the United States and Great Britain.

The American Minister admitted that it was not the intention of his Government to push its pretensions to that extent. The United States were ready to acknowledge that no country had any absolute and exclusive claim to the territory; but they meant to assert that they, as heirs to the rights of Spain, had, in fact, the best pretensions to it of either of the three Powers concerned.

The American Government proposed that, a division being made between the three Powers, a joint convention should be entered into, renewable at the pleasure of the parties, for the purpose of mutually granting to each other, for a limited period, the freedom of fishery and of trade with the natives, and whatever other advantages the coasts might afford; and the American Minister at St. Petersburg was furnished with full powers to conclude such a convention.

But Sir Charles Bagot, whose instructions and powers did not contemplate the putting forward of such pretensions by the United States, thought proper to suspend the negotiation, so far as regarded the question of territory.

He had previously intimated to Count Nesselrode that Great Britain might be satisfied to take Cross Sound, in about latitude $57\frac{1}{2}^{\circ}$, as the boundary on the coast, and a meridional line drawn from the head of Lynn Canal, or about the 135th degree of west longitude, as the boundary in the interior. M. Poletica, the Russian plenipotentiary, suggested the 55th degree as the boundary which Russia would desire to obtain, and stated that it would be with extreme reluctance that Russia would consent to relinquish her settlement at Sitka, or New Archangel.

In consequence of the unexpected pretensions of the United States, Sir Charles Bagot was directed to negotiate only with Russia, between which Power and Great Britain a satisfactory arrangement might be anticipated.

It was observed by Mr. Canning that the intervention of the United States in the negotiation would obviously tend to complicate the question between Russia and Great Britain, and that a fresh agreement between Great Britain and the United States was unnecessary, because a freedom of intercourse for the subjects of the two Powers with the country claimed by either, on the north-west coast, was already established by treaty.

With a view to the conclusion of an arrangement with Russia, Sir Charles Bagot was instructed to obtain some record of the disavowal by that Power of the extravagant maritime pretensions advanced in the Emperor's Ukase, and to require an equitable adjustment of the limits, first, by a line of demarcation, to be drawn between the southernmost settlement of Russia and the northernmost post of the North-west Company; and, secondly, by another line, to be drawn through the channel which separates from the mainland the islands, upon one of which Sitka is situated.

The Russian plenipotentiaries, on entering upon the negotiation, expressed the repugnance of His Imperial Majesty to renounce pretensions which had been advanced in 1800 by the Emperor Paul, and which had hitherto been undisputed; but Sir Charles Bagot successfully insisted upon maintaining as the basis of negotiation that which had already been agreed upon, namely, that the question of strict right should be provisionally waived on both sides. He was not, however, successful as to the limits; for, although he had expressed every disposition to be accommodating as to the sea-line, the Russian Government had claim to parts of the mainland over which Russia could not possibly have acquired any right, and which Great Britain, in fact, was partially occupying. Sir Charles Bagot had offered the 55th degree as the line of demarcation upon the islands, in order to preserve to British subjects uninterrupted access to the Pacific Ocean, and in order to secure to Great Britain the 56th degree of north latitude as the British boundary upon the coast; but the proposition was rejected by the Russian plenipotentiaries, and Sir Charles, in consequence, deemed it expedient to suspend the negotiation.

The question between Russia and the United States was shortly afterwards brought to a conclusion by the signature of a treaty stipulating that the subjects and citizens of the two Powers might resort, without restraint, to the Pacific Ocean and to the points of its coasts which were not already occupied; that the Americans should not form any establishment to the north of $54^{\circ} 40'$, or the Russians any to the south of that latitude; and that the citizens and subjects of both powers might frequent, for 10 years, the interior seas, gulfs, harbours, and creeks upon the coast.

The objections of the Russian Government to Sir Charles Bagot's propositions having been considered, he was directed to consent to include the south points of Prince of Wales Island within the Russian frontier, and to admit, as the line of demarcation, a line to be drawn from the southernmost point of Prince of Wales Island, from south to north, through Portland Channel, till it should strike the mainland in latitude 36° ; thence a line following the sinuosities of the coast along the mountains nearest to the sea as far as Mount Elias in latitude 60° , and thence the 135th degree of longitude as far as the Polar Sea; the distance of the line along the mountains at no point to exceed 10 leagues from the sea.

Sir Charles Bagot was also directed to obtain, if possible, a period longer than 10 years during which the subjects of the two Powers should continue at liberty to resort to the possessions of each Power, and he was also directed to require a stipulation for the permanent admission of British subjects to the harbour of New Archangel, and to rivers, creeks, &c., on the continent (including the sea beyond Behring's Straits), as a

compensation for the perpetual right which would be granted to Russia to the territory included within the new boundary.

The Russian Government positively refused to grant to British subjects a perpetual right of trading with the port of New Archangel, and with the ports in the Russian territory within the line of demarcation; declaring that, although at the expiration of a period of 10 years they might be disposed to renew the privilege, they could not consent to grant it in perpetuity: and they equally declined to permit British subjects to resort to the Russian territory above the 60th degree, even for a limited period. They also required that the right of freely navigating the sea beyond Behring's Straits should be accepted by Great Britain as a concession from Russia.

Sir Charles Bagot, finding that he could not induce the Russian plenipotentiaries to depart from their resolution upon either of these points, again suspended the negotiation, and soon afterwards returned to England.

In the meantime Mr. Ward was directed to propose to the Russian Government that instructions should be sent to Count Lieven for the purpose of negotiating the treaty in London.

It was, however, decided that Sir Stratford Canning should repair on a special mission to Russia, in order to finish the negotiations at St. Petersburg.

He was accordingly instructed to propose to the Russian Government a project of a treaty, which, in order to obviate the Russian objections as to Russian maritime jurisdiction, and as to British navigation, contained two articles corresponding with those which have been recently concluded upon those points between Russia and the United States, with a proviso as to the period of 10 years, that, if a more extended term, with respect to the port of New Archangel, should be granted to the subjects of any other Power, the same extension should be granted also to British subjects, the line of demarcation in this project was very nearly the same as that proposed by Sir Charles Bagot.

The Russian Government having acquiesced in the project, without any material alteration, a treaty was concluded between the plenipotentiaries, the principal stipulations of which were, that the subjects of the two Powers might resort, without restraint, to the Pacific Ocean and to such parts of the coast thereof as had not been already occupied: that the line of demarcation between the possessions of the two Powers should be drawn, beginning from the southernmost point of Prince of Wales Island, in 54° 40' north latitude, and between the 131st and 133rd degrees of west longitude; thence, northerly, along Portland Channel to the point where it strikes the coast in the 56th degree; thence by the summit of the mountains along the coast, and within the distance of 10 leagues from that coast to the point where such line intersects the 141st degree of west longitude, and from thence due north to the Frozen Ocean; that Prince of Wales' Island should belong wholly to Russia: that neither party should form any establishment within the limits assigned to the other: that British subjects should have free access for ever to the rivers and streams which cross the line of demarcation upon the coast, and for 10 years, at least, to the port of New Archangel: and that the subjects of both Powers may frequent all the internal seas, gulfs, havens, and creeks upon the coast.

The treaty is silent with respect to Behring's Straits; but Sir Stratford Canning was assured by the Russian plenipotentiaries that the Emperor had no intention whatever of maintaining any exclusive claim to the navigation either of those straits or of the seas to the north of them.

A copy of each of the treaties above-mentioned, between Russia and the United States and Great Britain, is annexed to this memorandum.*

(Signed) L. HERTSLET.

Foreign Office, July 1835.

* See Appendix 40 and 41.

No. 3.

THE RIGHT HON. G. CANNING to SIR CHARLES BAGOT.
(Dated February 5, 1823.)

(No. 1.)

(Extract.)

I avail myself of the opportunity of a Russian courier (of whose departure Count Lieven has only just apprized me) to send this note to your Excellency, and to desire that your Excellency will proceed to open the discussion with the Russian minister upon the basis of the Instruction* to the Duke of Wellington.

No. 4.

RIGHT HON. G. CANNING to SIR C. BAGOT.

(No. 9.)

July 12, 1823.

(Extract.)

I avail myself of this opportunity to write to your Excellency on the several subjects to which I have here adverted, communications and instructions upon which you will find in my accompanying Despatch.

No. 5.

RIGHT HON. G. CANNING to SIR C. BAGOT.

(No. 12.)

July 12, 1823.

SUBJECT.

Delay in consequence of United States proposing to join negotiations: inquires what terms would be acceptable to Russia as regards ocean navigation. With regard to mainland boundary Mr. Canning proposes that "a line of demarcation drawn at the 57th degree between Russian and British settlers would be an arrangement satisfactory to us, and would assign to Russia as much as she can pretend to be due to her * * *". "The arrangement might be made if more agreeable to Russia for an expirable period of 10 to 15 years."

No. 6.

RIGHT HON. G. CANNING to SIR C. BAGOT.

(Private.)

Foreign Office, July 25, 1823.

Since my Despatch, No. 12, was written it has occurred to me that an "expirable period" to a regulation of boundaries might be liable to some objection, as keeping alive a subject of jealousy and contest. Therefore, in bringing forward the suggestion of a "line of demarcation" (as you are instructed to do) you will not yourself propose such a modification, though if proposed you may receive it for consideration. If it should be found impossible at once to agree upon the precise limits, the settlement of them might be referred to a Commission.

I have, &c.

His Excellency Sir Chas. Bagot.

(Signed) GEORGE CANNING.

* This Instruction was forwarded to Sir C. Bagot in Despatch No. 5 of December 31, 1822.

No. 7.

A MEMORANDUM* in the Record Office, Volume 146 Russia, Domestic, Various.

January 13, 1824.

Mr. Canning will perceive by the enclosed Russian Chart (copied from Vancouver's Survey) that the Russian settlement of Sitka is on a small island they have so named in the mouth of Norfolk Sound and in latitude $57^{\circ} 5' N$.

The great island contiguous to it is named by Vancouver "King George's Archipelago," and the strait which separates it from another island (Admiralty Island) is named "Chatham Strait"; that between Admiralty Island and the Continent "Stephen's Strait" or "Passage." It is probable that since the settlement of Sitka, the Russians may have extended their possessions to the great adjacent island. I should think therefore that if latitude 56° , which takes in the whole of that island, and the longitude 225° (or which is the same thing 135° west) were assigned as the Russian limits, Chatham Strait, Lynn Canal, and a line running from the head of the latter in the direction of north-west would form an unobjectionable boundary. Perhaps a sketch of this part of the chart might accompany Sir C. Bagot's instructions.

DOCKET.

January 13, 1824.

Respecting the Russian and English boundaries on N.W. coast of America.

No. 8.

ADMIRALTY to FOREIGN OFFICE.

DEAR SIR,

Admiralty, January 14, 1824.

I think the enclosed sketch (which may be considered as correct with regard to latitudes and longitudes) may be of service to Sir Chas. Bagot in his negotiations.

I do not know how far the cession of Icy Cape and the whole of Behring's Strait may enable Russia to set up the claim of considering that strait a *mare clausum* by the possession of both shores, distant, as they are in the narrowest part, 13 sea leagues; but one would not wish, I think, to concede such a point to her, though practically it might be only a dead letter. If, however (and I confess I am sanguine enough to expect it), Captain Parry should ascertain a navigable passage round Icy Cape, it would be of the utmost possible importance to the North-west Company to transport their furs direct from Mackenzie's River to China, instead of sending them as now 3,000 miles to Hudson's Bay, a few thousand more by sea to England, and 10,000 still more thence to Canton. It may appear ridiculous to entertain a hope that steam vessels will one day sail from Mackenzie River round Icy Cape, but when it is considered that Franklin met with no obstruction to navigation for 500 miles along the same coast, which runs in one and the same parallel, and that there is an immense bed of coal on the shore of Slave Lake close to that river, we must admit that far more wonderful events have happened than this within the last 50 or 60 years.

The Right Hon. Geo. Canning.

I have, &c.
(Signed) JOHN BARROW.

DOCKET.

Admiralty, January 14, 1824.

Mr. Barrow.

Enclosing a sketch relating to the N.W. coast of America.
The sketch was forwarded to Sir Charles Bagot.

(Initialled) F. C.
(Lord Francis Conyngham.)

* This memorandum is unsigned, but is apparently in the handwriting of Lord Francis Conyngham. D.R.C.

No. 9.

RIGHT HON. G. CANNING to SIR C. BAGOT.

(No. 2.)

SIR,

Foreign Office, January 20, 1824.

A long time has elapsed since I gave your Excellency reason to expect additional instructions for your conduct in the negotiations respecting the Russian Ukase of 1821.

That expectation was held out in the belief that I should have to instruct you to combine your proceedings with those of the American Minister, and the framing such instructions was of necessity delayed until Mr. Rush should be in possession of the intentions of his Government upon the subject.

Upon receipt of your Excellency's Despatch No. 48, reporting the arrival of Mr. Hughes at St. Petersburg with the instructions of the Government of the United States to Mr. Middleton, I applied to Mr. Rush for information as to the tenor of those instructions. I then found what I had not before been led to suspect, that Mr. Rush had himself authority to enter into negotiations with us as to the respective claims of Great Britain and the United States on the North-west Coast of America, although he does not appear to have been instructed to invite such negotiation here if we should prefer leaving it to be conducted at St. Petersburg.

It seemed, however, that it would greatly facilitate your Excellency's task at St. Petersburg if we could come to some satisfactory understanding with Mr. Rush on the principles and leading points of the negotiation, and that at all events it was advisable to ascertain so much from Mr. Rush as might enable us to judge whether it would or would not be expedient to agree to the proposal of the United States for combining our negotiations with Russia into one.

Such a combination had indeed been already proposed by us with respect to so much of our respective discussions with Russia as turned upon the maritime pretensions of the Russian Ukase. But that proposal had not been made in contemplation of the territorial question, to which the pretensions of the United States have given a new and complicated character.

The object in applying jointly to Russia for a disavowal or qualification of her maritime pretension was at once to simplify and to soften to Russia that act of qualification or disavowal, by enabling Russia to satisfy both Powers at once, with special and separate concession. But as in the question of territorial limits, Russia, at whatever point her pretensions might be stopped, could have but one of the two Powers for her neighbour, there did* seem to be any obvious advantage in bringing both to bear upon her together in the settlement of those limits.

It is true that as while we confine upon the Russian territory to the north, we also confine upon that of the United States to the south, we must at one time or other come to a settlement with each of those powers. But there is no obvious or cogent reason for making those settlements simultaneous, especially as we have already a Convention subsisting with the United States which suspends the necessity of any definite settlement with that Government for five years yet to come.

Whether, therefore, your Excellency should be empowered, according to the desire of the Government of the United States to negotiate and conclude a tripartite arrangement with Russia and the United States, or should be instructed to pursue that negotiation with Russia singly according to the tenor of your present powers, was a question to be determined in a great measure by the more or less probability of a satisfactory understanding between Great Britain and the United States as to their relative as well as their joint concern in such negotiation.

Now we have good reason to believe that in respect to the question of territorial dominion between us and Russia, an arrangement may be agreed upon which will satisfy the wishes and secure the convenience of both parties by a line of demarcation to be drawn between the southernmost settlement of Russia and the northernmost part of the North-west Company.

The most southern establishment of Russia on the North-west Coast of America is Sitka, which is not laid down in our latest maps with sufficient exactness, but which appears by the Russian map published in 1822 to be situated, as the enclosed copy of a letter from Mr. Pelly, Chairman of the Hudson's Bay Company, also represents it, in latitude 57° and not (as the map, of which a copy was enclosed by your Excellency indicates) on the continent, but on a small island of the same name at the mouth of Norfolk Sound, the larger islands contiguous thereto forming (what is called by Van-

* Did not seem (?). — D.R.C.

† Not printed.

couver) King George's archipelago, are separated from each other by a strait called Chatham Strait, and from the mainland by another strait called Steven's * Strait or passage. Mr. Pelly positively avers that they have no settlement on the mainland nor any commerce to the eastward of the coast. He suggests, therefore, the channel between the islands and the mainland as the most desirable line of demarcation, which being agreed to, the line to the southward might be drawn so as to comprehend Sitka and all the Russian settlements upon the islands. If this agreement could not be obtained it would certainly prevent all danger of a collision with Russia, and the United States not intending, as it is understood, to urge any claim in opposition to that actual occupancy, whether on the part of Russia or of Great Britain in the latitudes in which Great Britain and Russia come in contact, the drawing of that line is clearly a matter which practically concerns only the two Powers between whose possessions it is to be drawn.

The intervention of the United States in such an arrangement could be necessary only as an umpire. Such an intervention in this case is not likely to be required on account of an irreconcilable conflict of pretensions between Great Britain and Russia; nor would a Power whose pretensions are (theoretically at least) in conflict with both parties be the fittest for such an office.

Your Excellency's Despatch No. 48 describes latitude 55° as the point at which M. Poletica appeared to wish that the line of demarcation between Russia and Great Britain should be drawn. By a memorandum which I have received from Mr. Rush, of what his Government would propose as a general settlement, it appears that latitude 55° is the point at which the United States likewise would propose for that same line of demarcation.

This coincidence certainly argues either a foregone understanding between Russia and the United States, or a disposition on the part of the United States to countenance and promote what they know to be the desire of Russia.

When to this statement I add that the United States propose, according to the aforesaid memorandum of Mr. Rush, to draw the line of demarcation between themselves and Great Britain at latitude 51° the point at which the Russian pretension, as set forth in the Ukase of 1821, terminates, it does not seem very uncharitable to suppose that the object of the United States in making a selection otherwise wholly arbitrary of these two points of limitation for British dominion was to avoid collision with Russia themselves, and to gratify Russia at the expense of Great Britain. There is obviously no great temptation to call in such an arbiter if the partition between Russia and ourselves can be settled, as no doubt it can, without arbitration.

By admitting the United States to our negotiation with Russia we should incur the necessity of discussing the American claim to latitude 51° at the same time that we were settling with Russia our respective limits to the northward.

But the question of the American claim is for the present merged in the Convention of 1818; and it would be a wanton increase of difficulties to throw that Convention loose, and thus to bring the question, which it has concluded for a time, into discussion precisely for the purpose of coincidence as embarrassing as it is obviously unnecessary.

If Russia, being aware of the disposition of the United States to concede to her the limit of latitude 55° , should on that account be desirous of a joint negotiation she must recollect that the proposal of the United States extends to a joint occupancy also, for a limited time, of the whole territory belonging to the three powers; and that the Convention now subsisting between us and the United States gives that joint occupancy reciprocally in the territory to which we both lay claim.

To this principle it is understood the Russian Government object; nor, so far as we are concerned, should we be desirous of pressing it upon them; but as between ourselves and the United States we are not prepared to abandon it, at least for the term for which the Convention of 1818 has to run; there would be some awkwardness in a tripartite negotiation which was not to be conducted and concluded in all its parts upon an uniform principle.

These reasons had induced us to hesitate very much as to the expediency of acceding to the proposition of the United States for a common negotiation between the three Powers; when the arrival of the speech of the President of the United States at the opening of the Congress supplied another reason at once decisive in itself, and susceptible of being stated to Mr. Rush with more explicitness than those which I have just now detailed to your Excellency; I refer to the principle declared in that speech which prohibits any further attempt by European Powers at colonization in America.

Upon applying to Mr. Rush for an explanation of this extraordinary doctrine, I found

* Stephen's? D.R.C.

him unprovided with any instructions upon it. He said, indeed, that he had not heard from his Government since the opening of the Congress, and had not even received officially a copy of the President's speech.

His conviction, however, was that against whatever Power the President's doctrine was directed, it could not be directed against us. He appealed in support of that conviction to the existence of the Convention of 1818, by which we and the United States, hold for a time joint occupancy and common enjoyment of all the territory on the North-west Coast of America above latitude 42°.

It was obviously the impression on Mr. Rush's mind that this pretension on the part of his Government was intended as a set-off against maritime pretension of the Russian Ukase.

I do not mean to authorise your Excellency to report this construction at St. Petersburg as that of the American Minister, but you will have no difficulty in stating it as one to which we think the President's speech liable; as that, indeed, which appears to us to be by far the most probable construction; as such it furnishes a conclusive reason for our not mixing ourselves in a negotiation between two parties whose opposite pretensions are so extravagant in their several ways as to be subject not so much of practical adjustment as of reciprocal disavowal.

Mr. Rush is himself so sensible of the new consideration which is introduced into the negotiation by this new principle of the President's that, although he had hitherto urged, with becoming pertinacity, the adoption of the suggestion of his Government, he has, since the arrival of the President's speech, ceased to combat my desire to pursue the course—already begun, of a separate negotiation at St. Petersburg, and has promised to write by this messenger to Mr. Middleton, to prepare him for your Excellency's continuing to act upon your former instructions.

It remains, therefore, only for me to direct your Excellency to resume your negotiation with the Court of St. Petersburg at the point at which it was suspended, in consequence of the expected accession of the United States, and to endeavour to bring it as speedily as possible to an amicable and honourable conclusion.

The questions at issue between Great Britain and Russia are short and simple. The Russian Ukase contains two objectionable pretensions: first, an extravagant assumption of maritime supremacy; secondly, an unwarranted claim of territorial dominions.

As to the first, the disavowal of Russia is, in substance, all that we could desire. Nothing remains for negotiation on that head but to clothe that disavowal in precise and satisfactory terms. We would much rather that those terms should be suggested by Russia herself than have the air of pretending to dictate them; you will therefore request Count Nesselrode to furnish you with his notion of such a declaration on this point as may be satisfactory to your Government. That declaration may be made the preamble of the Convention of limits.

As to the territorial question, I have already stated that the line of demarcation the most satisfactory to us would be one drawn through the channel separating the islands, upon one of which Sitka is situated, from the mainland.

If this cannot be obtained as the boundary, then the line on the mainland must be drawn to the north of the northernmost post of the North-west Company till it strikes the coast, and thence may descend to whatever latitude may be necessary for taking in the islands, on one of which Sitka stands.

It does not appear from your Excellency's Despatch how far the line proposed by M. Poletica, to be drawn at latitude 55°, was intended to run to the eastward. If to the Rocky Mountains, it obviously would be wholly inadmissible by us, inasmuch as the communication of the North-west Company from Canada, through those mountains with the whole of the north-west country, is in a higher latitude than 55°.

Neither has Russia any claim whatever to any inland territory approaching that latitude. She has no occupancy inland. Mr. Pelly's report denies that she has any, even on the coast, and it is to the coast alone that discovery could, in the nature of things, give any title.

It is absolutely essential, therefore, to guard against any unfounded pretension, or any vague expectation of Russia, to the Eastward; and for this purpose it is necessary that, whatever degree of latitude be assumed, a definite degree of longitude should also be assigned as a limit between the territorial rights of the two Powers.

If your Excellency can obtain the strait which separates the islands from the mainland as the boundary, the prolongation of the line drawn through that strait would strike the mainland near Mount Elias, the lowest point of unquestioned Russian discovery. But if that were too much to insist upon, the 135th degree of longitude, as suggested by your Excellency, northward from the head of Lynn's harbour might suffice.

It would, however, in that case be expedient to assign with respect to the mainland, southward of that point, a limit, say, of 50 or 100 miles from the coast, beyond which the Russian posts should not be extended to the eastward. We must not admit the Russian territory to extend at any point to the Rocky Mountains on any account, because by such an admission we should establish a direct and complete interruption between our territory to the southward of that point, and that of which we are in possession to the eastward of longitude 135° along the course of the Mackenzie river.

As your Excellency had already made so much way in previous discussion, it is to be hoped that, on resuming the negotiation, very little time need be required to bring it to a conclusion. It is extremely important to conclude it as quickly as possible.

It being once decided not to negotiate jointly with the United States, we must take care to be out of the way while the discussions between Russia and the United States are going on, and the example of having come to agreement with us promptly and amicably on both points of litigation would perhaps not be less valuable to Russia in her subsequent discussions with the United States, than would have been the facility which we had in contemplation when we originally proposed that her disavowal of the maritime principle should be addressed simultaneously to us both.

At that time our claim to such disavowal and the claim of the United States were precisely alike. Russia had nothing to plead against either of us as a compensation for those claims. The principle put forth by the President of the United States has introduced a difference between the respective situations of the United States and Great Britain, which did not exist before. In the former state of things it might have been expedient both for ourselves and for the United States, as well as* distasteful to Russia, to return an answer common to us both; but, as things stand now, Russia might naturally wish to qualify her answer to the United States with some reciprocal demand of explanation.

The only point of view in which the United States could now insist upon interfering with, or even taking cognizance of, the negotiation between us and Russia, would be in order to see that the pretensions on the North-west Coast of America, derived to the United States from Spain, through the Treaty of 1819, were not prejudiced by our separate agreement.

That object cannot be more effectually provided for than by inserting into our Convention with Russia, as a protection for the claims of the United States, that part of the 3rd Article of the Convention concluded by us with the United States in 1818, which was inserted in that Convention for the protection of the claims of Spain herself in the rights which she had not then ceded. By that article it is stipulated that the agreement between the two contracting parties "should not be taken to affect the claims of any other Power or State in any part of the said country." Such a clause your Excellency will voluntarily propose to insert in the Convention which you are to conclude with Count Nesselrode, and you will apprise Mr. Middleton of your intention of proposing that insertion.

Sir C. Bagot,

I have, &c.
(Signed) GEORGE CANNING.

No. 10.

RIGHT HON. G. CANNING to SIR C. BAGOT.

(No. 3.)

Sir,

Foreign Office, January 20, 1824.

I WRITE this separate Despatch to your Excellency for the purpose of enclosing to you certain information and suggestions† on the subject of our discussion with Russia respecting the north-west coast of America, which I have received since my Despatch No. on that subject was prepared.

Any additional information is valuable upon a question of so much doubt and obscurity, and the suggestions are well worth attention, considering the quarter from which they come. But I would not incumber my other Despatch, already so voluminous with the matter herewith transmitted, nor make it part of the positive instructions to your Excellency.

* Not distasteful (?)—D.R.C.

† See Appendix No. 8, p. 34. Sir John Darrow's letter of 14th January 1824.—D.R.C.

I rely confidently on your Excellency's ability and zeal to make the best arrangement that can be made for the interests of your country to the extent of the most sanguine of the views opened in these enclosures, but I am not willing to instruct you to break off the negotiations on a demand of greater advantages, if you find that you can obtain the terms laid down in my other Despatch, and that you cannot obtain any improvement of them.

Sir Charles Bagot,
&c. &c. &c.

I have, &c.
(Signed) GEORGE CANNING.

No. 11.

SIR C. BAGOT to RIGHT HON. G. CANNING.

(No. 23.)

Sir,

St. Petersburg, March 17/29, 1824.

It is with a feeling of considerable disappointment that, after constant negotiation for more than six weeks, after having gone to the utmost limit of your instructions, and after having taken upon myself to go even far beyond them, I should nevertheless have to acquaint you that I have entirely failed in inducing the Russian Government to accede to what I consider to be a fair and reasonable adjustment of our respective pretensions on the north-west coast of America, or to the adoption of any line of territorial demarcation which appears to me to be reconcileable under the spirit of your instructions with our legitimate interests in that quarter of the world.

In order that I may put you in complete possession of the whole course of my negotiation upon this subject, and may explain the precise grounds upon which I have felt myself compelled to suspend for the present all further proceedings in this business, it will I fear be necessary that I should enter into detail, and that I should load this Despatch with several papers which are now become of importance.

It was on the 16th of last month that I had my first conference upon this question with the Russian Plenipotentiaries, Count Nesselrode and M. Poletica. I opened this conference by explaining to the Plenipotentiaries the reasons for which His Majesty had judged it advisable to treat separately upon this matter rather than as it had been originally intended in concert with the Government of the United States. I then laid before them Count Lieven's note to you of the 31st January 1823, proposing that the question of strict right should be provisionally waived on both sides, and that the adjustment of our mutual pretensions should be made upon the sole principle of the respective convenience of both countries.

This basis of negotiation being willingly accepted by all parties, I stated that so far as I understood the wishes and interests of Russia her principal object must be to secure to herself her fisheries upon the islands and shores of the north-west coasts of North America, and the posts which she might have already established upon them; that on the other hand our chief objects were to secure the posts upon the continent belonging to the Hudson's Bay Company, the embouchures of such rivers as might afford an outlet for our fur trade into the Pacific and the two banks of the Mackenzie River; that in the belief that such were our respective objects, I would propose as our boundary a line drawn through Chatham Straits to the head of Lynn Canal, thence north-west to the 140° of longitude west of Greenwich and thence along that degree of longitude to the Polar Seas.

This proposal was made by me verbally, and was taken for consideration by the Russian Plenipotentiaries, who at our next meeting offered a Contre Projet, which I afterwards requested might be reduced to writing, and of which I now enclose a copy marked A.*

In offering this Contre Projet Count Nesselrode seemed to intimate that however disposed the Emperor might be to retract pretensions advanced by himself which might be thought to conflict with the interests of other powers, it would be asking too much of the imperial dignity to require that pretensions advanced 25 years ago by the Emperor Paul, and which had hitherto been undisputed, should be now renounced. I thought it my duty upon an intimation of this kind being made to declare at once that all considerations of such a nature were incompatible with the stipulated basis of our negotiation, and that if the question of national dignity was to be touched, I, too, should have much to say upon that head, and should probably find it quite impossible to make

those concessions which, upon the simple ground of mutual convenience, I might perhaps without difficulty do. This explicit declaration had its desired effect, and the Russian Plenipotentiaries engaged not to introduce again arguments of this kind into our discussions.

As the Contre Projet offered to me appeared to be, generally speaking, entirely inadmissible, I drew up such a modification of my original proposal as would, I thought, meet the only reasonable objection made to it (an objection made in conversation by the Russian Plenipotentiaries), viz., the inconvenience which Russia might experience by vessels of the United States claiming a right, under their Convention with Great Britain, to visit the waters lying between King George's Archipelago and the Islands and Continent to the eastward of it, and which might in this manner seriously annoy the subjects of His Imperial Majesty in their pursuits and occupations upon those shores.

This modification of my first proposal will be found in the enclosed paper marked B.,* which I delivered to the Russian Plenipotentiaries at our next conference.

You will observe that in making the proposal so modified, I, in fact, exceeded in some degree the strict letter of your instructions, by assigning to Russia the islands lying between Admiralty Island to the north, and Duke of York and Prince of Wales Islands to the south, but I entertained sanguine expectations that such a proposal, coupled with the concession of a line of coast extending ten marine leagues into the interior of the continent, would have been considered as amply sufficient for all the legitimate objects which Russia could have in view, and quite as much as she could pretend to with any shadow of real claim or justice.

So far, however, from this being the case, my amended proposal was met at our next conference by observations which I again requested might be reduced to writing, and which will be found in the enclosed paper marked C.†

As in this paper parts of the main continent to which Russia cannot by possibility have ever acquired any claim, and of which Great Britain is at this moment in partial occupation, are offered to His Majesty in the light of concessions, it became necessary for me to reject any such offers as a boon in the most explicit terms, and you will find that I have not failed to do so in the enclosed paper marked D.,‡ with which I replied to the paper in question.

As, however, I felt strongly the importance of adjusting this business, if possible, at the present moment, and as I felt also that, although the Russian Plenipotentiaries had, in consequence of my former remarks, agreed to waive altogether all question of national dignity in discussing it, His Imperial Majesty might yet possibly feel an invincible repugnance to retract from the pretensions advanced by the Emperor Paul in the Charter given to the Russian American Company in 1799 (however unacknowledged by other powers such pretension might have been), I thought that I should not act in opposition to the spirit, at least, of my instructions if in deference to such a sentiment on the part of the Emperor, and with a view to finish the business quickly, I ventured to make yet one other proposition which, while it saved this point of dignity to Russia by giving to her the 55th degree of latitude as her boundary upon the Islands, might preserve also uninterrupted our access to the Pacific Ocean, and secure to His Majesty the 56th degree of north latitude as the British boundary upon the coast.

The proposition by which I had hoped to effect these objects will also be found in the paper marked D.,‡ in delivering which I gave it clearly to be understood that it contained my ultimate proposition.

It was not till the day before yesterday, that is nearly ten days after I had given in this paper, that I was invited to another conference, when I was informed that the Imperial Government had, after anxious consideration, taken their final decision, and that they must continue to insist upon the demarcation as described by them in the first paper marked A.

Finding this to be the case, I repeated that I had already gone far beyond the utmost limit of my instructions and that I was sorry to say that I must now consider our negotiations as necessarily suspended so far at least as the question of territorial demarcation was concerned.

Count Nesselrode then inquired whether I should object to transmit to my Court the final decision of himself and M. de Poletica as it is declared in the enclosed paper marked E.,§ and whether I did not think that His Majesty's Government, seeing how slight our disagreement was, might not be disposed to furnish me with such further instructions as would enable me to meet the views of the Russian Government, informing me at the same time that it was intended to acquaint Count Lieven by the courier

* p. 42.

† p. 43.

‡ p. 44.

§ p. 45.

who is to be despatched to-night to London with the course which the negotiation had taken, and to instruct him to hold some conversation with you upon the subject.

I told Count Nesselrode that I should of course feel it to be my duty to transmit this and all other papers connected with the negotiation to you without loss of time, but that I could not by any means take upon myself to say what might be the opinion of His Majesty's Government as to the pretensions so tenaciously adhered to by the Imperial Government further than by saying that certainly they were such as had never been contemplated by my Court in the instructions with which I had as yet been furnished, and that if a territorial arrangement perfectly satisfactory to both parties could not now be made, it might possibly be thought by my Government that our respective pretensions might still remain without any serious inconvenience in the state in which they had before stood, and that it would only be necessary for the present to confine their attention to the adjustment of the more urgent point of the maritime pretension, a point which would not admit of equal postponement.

In reply to this observation, Count Nesselrode stated, to my extreme surprise, that if the territorial arrangement was not completed, he did not see the necessity of making any agreement respecting the maritime question; and I found myself most unexpectedly under the necessity of again explaining very distinctly, both to him and to M. Poletica, that the maritime pretension of Russia was one which, violating as it did the first and most established principles of all public maritime law, admitted neither of explanation nor modification, and that my Government considered themselves possessed of a clear engagement on the part of Russia to retract in some way or other a pretension which could neither be justified nor enforced.

Here the matter rested, but I ought to state that, notwithstanding this unexpected observation of Count Nesselrode, I do not at all believe that, had we been able to agree upon our southern line of demarcation, we should have found any real difficulty either as regards the retraction of the maritime pretension, or as regards our western boundary, or any other of the minor details which we should have been called upon to adjust; but the observation was made, and considering what has already passed upon this subject, both here, in London, and in America, considering also the delicacy with which His Majesty had left it to the Russian Government themselves to frame the terms in which their retraction of this preposterous pretension should be made, His Majesty's Government may perhaps think it advisable that Count Lieven should be again given clearly to understand that it is a point to which no slight importance is attached by His Majesty, and that the pretension, as it now stands, will admit of no remedy but that of public, formal, and precise retraction in some shape or another.

Such has been the course of my late negotiation upon this question, and such the grounds upon which I have thought it my duty to suspend it for the present.

I know full well the inconvenience of breaking off such a negotiation in such a stage, and upon a point which, judging only by the map, might perhaps appear of so little real importance to His Majesty's present interests, but when I consider by how much I have already exceeded my instructions, how more than doubtful is the real right of this Government to any part of the territory in most immediate dispute, and how much more exorbitant are their pretensions upon the North-west Continent of America than I had before had reason to suspect, I certainly could not venture to take upon myself the heavy responsibility of making any further concessions of a territory, the value and possible local advantages of which I had no means of estimating, and which I believe are as yet imperfectly known.

It is somewhat remarkable that, whilst the Russian pretension of maritime jurisdiction stands unrecalled amongst the Oukazes of the Imperial Government, a note, such as that of which I herewith enclose a copy,* should have been addressed to me in the midst of our negotiations, asking protection for a Russian ship to navigate in safety those very seas and visit those very shores which the Court of Russia has by such high-handed decrees declared to be a part of her exclusive dominions and a part too which the other powers of the world are forbidden to approach.

I have not yet answered this note, but if I am pressed to do so before I receive the instructions of His Majesty's Government in respect to it I shall certainly grant the certificate required, as was done in a former and similar instance by Lord Cathcart.

I have, &c.

The Right Hon. George Canning.

(Signed) CHARLES BAGOT.

* Not printed.

CONTRE PROJET SUBMITTED BY RUSSIAN PLENIPOTENTIARIES.

Les propositions faites par les Plénipotentiaires de Russie à Sir Charles Bagot et que Son Excellence a été priée de prendre en mure considération, tendoient à faire admettre le 55^{me} degré de latitude septentrionale comme ligne de démarcation entre les possessions respectives sur la côte N.O. de l'Amérique.

Cette même limite a déjà été assignée aux possessions Russes par la charte que l'Empereur Paul 1^{er} accorda à la Compagnie Américaine.

Comme la parallèle du 55^{me} degré coupe l'île du Prince de Galles dans son extrémité méridionale, laissant en dehors deux pointes de terre les Plénipotentiaires de Russie ont proposé que ces deux pointes fussent comprises dans les limites Russes voulant éviter par là, une division de territoire également incommode aux deux parties intéressées.

Pour compléter la ligne de démarcation et la rendre aussi distincte que possible, les Plénipotentiaires de Russie ont exprimé le désir de lui faire suivre le Portland Canal jusqu'aux montagnes qui bordent la côte.

De ce point la limite remonteroit le long de ces montagnes parallèlement aux sinuosités de la côte, jusqu'à la longitude du 139^{me} degré (méridien de Londres) degré dont la ligne de prolongation vers le Nord, formeroit la limite ultérieure entre les Possessions Russes et Anglaises au Nord, comme à l'Est.

Le motif principal qui force la Russie à insister sur la Souveraineté de la lisière indiquée plus haut sur la terre ferme depuis le Portland Canal jusqu'au point d'intersection du 60^e avec le 139^e de longitude, c'est que, privée de ce territoire, la Compagnie Russe Américaine n'auroit aucun moyen de soutenir ses établissemens qui seroient dès lors sans point d'appui; et qui ne pourroient avoir aucune solidité.

En revanche la Russie se feroit un devoir d'ouvrir aux sujets de Sa Majesté Britannique la libre navigation de tous les fleuves qui aboutissent à l'Océan dans cette même lisière.

Pour donner une dernière preuve de son empressement à aller au-devant des vœux du Gouvernement Anglais, elle ouvreroit aussi au commerce des sujets de Sa Majesté Britannique et à leurs vaisseaux, le port de Novo Archangelsk dans le cas où les propositions ci-dessus seroient acceptées.

MODIFICATION of the FIRST PROPOSAL originally made by SIR C. BAGOT.

Comme il a été convenu de prendre pour base de négociations les conventions mutuelles des deux pays, il est à remarquer, en réponse à la proposition faite par les Plénipotentiaires Russes, qu'une ligne de démarcation tracée de l'extrémité méridionale de l'île du Prince de Galles jusqu'à l'embouchure du Canal de Portland, de là par le milieu de ce canal jusqu'à ce qu'elle touche la terre ferme, de là jusqu'aux montagnes qui bordent la côte, et de là le long de ces montagnes jusqu'à la longitude du 139^{me} degré etc oteroit à Sa Majesté Britannique la souveraineté de toutes ces anses et de ces petites baies qui se trouvent entre les latitudes 56° et 54° 45' dont plusieurs (à ce qu'il y a tout lieu à croire) communiquent directement aux établissemens de la Compagnie de Hudson's Bay, et seroient par conséquent d'une importance essentielle pour son commerce; tandis que de l'autre côté la Compagnie Russe Américaine ne possède aucun établissement sur la terre ferme entre les deux parallèles sus mentionnées, ni même sur l'île de Prince de Galles, ni sur les îles qui sont situées entre celle ci et la terre ferme.

En acceptant la proposition faite par Sir Charles Bagot dans sa première conférence avec les Plénipotentiaires Russes il n'y auroit (à ce qu'il paroît) qu'un seul inconvénient pour la Russie celui qui pourroit résulter du droit que réclameraient peut être les Etats Unis, en vertu de leur Convention avec la Grande Bretagne de l'année 1818 de naviguer librement dans tous les parages entre l'île du Roi George, et la terre ferme, et de gêner ainsi de quelque sorte le commerce des sujets de Sa Majesté Impériale dans ces eaux.

Pour obvier à cet inconvénient et pour assurer à la Russie l'entière souveraineté de ces parages, ainsi que toutes les îles et les côtes où il y a effectivement des établissemens

Russes, la Grande Bretagne proposeroit de prendre pour ligne de demarcation entre les territoires des deux puissances une ligne tracée de l'Ouest vers l'Est, par le milieu du canal qui sépare les îles du Prince de Galles et du Duc d'York de toutes les îles situées au Nord des dites îles jusqu'à ce qu'elle touche la terre ferme.

De là se prolongeant dans la même direction sur la terre ferme jusqu'à un point distant de la côte de dix lieues marines, la ligne remonteroit de ce point vers le Nord et le Nord Ouest, parallèlement aux sinuosités de la côte et toujours à la distance de dix lieues marines du rivage, jusqu'au 140^{me} degré de longitude (de Greenwich) dont elle suivroit alors le prolongement jusqu'à la mer polaire.

No. 14.

C.

OBSERVATIONS made by the RUSSIAN Plenipotentiaries on the Amended Proposal of
SIR C. BAGOT.

Le motif qui a fait proposer l'adoption du principe des convenances mutuelles, et le premier avantage de ce principe, c'est d'empêcher que les établissemens respectifs sur la côte Nord Ouest ne puissent se nuire les uns aux autres et entrer en collision.

Les établissemens Anglais de la Compagnie de la Baie de Hudson et du Nord Ouest tendent à se porter vers l'Ouest par les 53^e et 54^e de latitude septentrionale.

Les établissemens Russes de la Compagnie Américaine tendent à descendre au sud vers le 55^{me} parallèle et au delà car il est à remarquer que si la Compagnie Américaine n'a point encore formé d'établissement fixe sur la ligne mathématique du 55^{me}, il n'en est pas moins vrai qu'en vertu de son privilège de 1799—privilège contre le quel aucune Puissance n'a jamais réclamé—elle exploite la chasse et la pêche dans ces parages, et que régulièrement elle occupe les îles et les côtes avoisinantes dans la saison qui lui permet d'y envoyer ses chasseurs et ses pêcheurs.

Il étoit donc de la convenance mutuelle des deux empires d'assigner de justes limites à des progrès réciproques que ne pouvoient qu'occasionner avec le temps les plus fâcheuses complications.

Il étoit aussi de leur convenance mutuelle de déterminer ces limites d'après les séparations naturelles qui forment toujours les frontières les plus distinctes et les plus certaines.

C'est par ces raisons que les Plénipotentiaires de Russie ont proposé pour limites sur la côte du Continent au sud le *Portland Channel* dont l'origine dans les terres et par le 56^{me} degré de latitude N. et à l'Est la chaîne de montagnes qui suit à une très petite distance les sinuosités de la côte.

D'après les cartes les plus récentes et les meilleures publiées en Angleterre, les établissemens de la Compagnie de la Baie de Hudson, ne se rapprochent des côtes que par le 53^e et le 54^{me} degré, et l'on ne sauroit prouver que sur aucun point ils arrivent jusqu'au grand océan.

Cependant d'après le principe des convenances mutuelles le projet d'arrangement des Plénipotentiaires de Russie, laisse ouverts à l'extension successive des Colonies Anglaises :

1^o. Toute la partie de la côte entre l'embouchure du *Portland Channel* et le 51^{me} degré de latitude Nord envisagé comme limite des possessions Russes dans l'Oukaze du 4/16 Septembre 1821.

2^o. Tout le territoire situé entre les établissemens Anglais au 54^{me} et l'origine du *Portland Channel* qui est au 56^{me} parallèle.

3^o. Tout le territoire situé derrière la chaîne de montagnes dont il a été question ci dessus jusqu'au point d'intersection du 139^{me} degré de longitude (méridien de Greenwich).

Les Plénipotentiaires de Sa Majesté Impériale prévoyant même le cas, où, sur la lisière de la côte, qui appartiendrait à la Russie, il se trouveroit des fleuves au moyen des quels les établissemens Anglais pourroient communiquer avec l'océan, se sont empressés d'offrir par une stipulation éventuelle la libre navigation de ces fleuves.

Ils ont en outre annoncé à son Excellence Sir Charles Bagot que le Port de Novo Archangelsk sera ouvert au commerce des sujets de Sa Majesté le Roi de la Grande Bretagne.

D'autre part les Plénipotentiaires de Russie ont l'honneur de lui observer itérativement que sans une lisière sur la côte du continent à partir du *Portland Channel*, les établissemens Russes des îles du voisinage n'auroient aucun point d'appui, qu'ils seroient à la merci de ceux que des étrangers formeroient sur la terre ferme, et que tout arrangement semblable, loin d'être fondé sur le principe des convenances mutuelles ne présenteroit que des dangers à l'une des parties et des avantages exclusifs à l'autre.

On ne parlera point ici des deux pointes de l'île du Prince de Galles qui sont situées au dessous de la ligne du 55^{me} degré de latitude Nord. Ces deux pointes ne pourroient être d'aucune utilité à la Grande-Bretagne et si les neuf-dixièmes de l'île du Prince de Galles appartiennent à la Russie, il est évidemment d'un intérêt réciproque que l'île lui appartienne tout entière.

Ce court exposé suffit pour justifier le projet que les Plénipotentiaires de Sa Majesté Impériale ont remis à Sir Charles Bagot et sur la teneur du quel ils ne peuvent qu'insister.

Ils espèrent du reste que les intentions qui ont dicté ce projet seront appréciées tant par l'Ambassadeur de Sa Majesté Britannique que par son Gouvernement.

No. 15.

D.

SIR C. BAGOT'S Objections to the Observations made by the Russian Plenipotentiaries on his Amended Proposals, now further modified.

La Découverte ou la simple occupation de quelques îles situées sur la côte d'un continent ne peut donner aucun droit à la souveraineté de la terre ferme voisine, principe qui n'est pas moins fondé sur l'opinion reconnue des juristes les plus célèbres que sur l'usage universellement observé entre les nations.

D'après ce principe Sir Charles Bagot a constamment soutenu dans les conférences qu'il a eu l'honneur d'avoir avec les Plénipotentiaires de Russie, que Sa Majesté Britannique ne sauroit admettre que les droits de la Russie sur la côte Nord Ouest du Continent d'Amérique puissent s'étendre vers le midi sur ce continent au de là du point où la Russie aura actuellement formé des établissemens.

Il n'a jamais été affirmé par les Plénipotentiaires de Sa Majesté Impériale que la Russie possède des établissemens quelconques sur la terre ferme au Sud du 60^{me} ou 59^{me} degré de latitude Nord, mais ils ont déclaré que privée d'une lisière sur la terre ferme, la Compagnie Russe Américaine n'auroit aucun moyen de soutenir ses établissemens sur les îles, qui seroient dès lors sans point d'appui et ne pourroient avoir aucune solidité.

Tout argument fondé sur la considération de la convenance pratique de la Russie, ne pouvoit être que du plus grand poids, et le Plénipotentiaire de Sa Majesté Britannique n'hésita plus d'abandonner, en conséquence de cette observation des Plénipotentiaires de Russie la ligne de démarcation qu'il avoit d'abord proposée, savoir, celle qui devoit passer par le milieu de Chatham Straits jusqu'à l'extrémité septentrionale de Lynn Canal et de là à Mont Elias, ou à l'intersection du 140^{me} degré de longitude, et d'en proposer une autre qui assureroit à la Russie non seulement une lisière sur le continent, vis-à-vis de l'établissement le plus méridional qu'elle possède sur les îles, mais qui lui assureroit aussi la possession de toutes les îles et les eaux qui l'avoisinent, ou qui se trouvent placées entre cet établissement et la terre ferme, la possession enfin de tout ce qui pourroit devenir, par la suite, de quelque utilité, ou pour sa solidité ou pour sa prospérité.

Mais le Plénipotentiaire de Sa Majesté Britannique ne peut pas admettre que la Russie accorderoit ou assureroit à Sa Majesté Britannique un nouvel avantage par sa renonciation à la partie de la côte située entre l'embouchure du Portland Canal et le degré de latitude envisagé comme limite des Possessions Russes dans l'Oukaze de 1821, ni même par sa renonciation à toute partie du continent au midi des établissemens qui y ont été déjà formés; car, quand même Sa Majesté Britannique eut jamais reconnu ce degré de latitude comme formant la ligne de démarcation en autant qu'il regarde les îles, elle ne pourroit d'après le principe énoncé plus haut l'avoir reconnu comme limite sur le continent voisin, sur lequel la Compagnie de la Baie de Hudson avoit déjà établi plusieurs de ses postes les plus importants.

Cette Compagnie a en effet, des établissemens même près de la côte au Nord du 55^{me} degré; Sa Majesté Britannique ne pourroit donc sans sacrifier les intérêts de la compagnie renoncer à ses droits à la souveraineté de la côte et des îles qui la dépendent immédiatement jusqu'à la hauteur de 56° 20' de latitude Nord quelque que soit le degré de latitude que l'on pourra définitivement convenir de prendre pour limite entre les deux puissances en autant qu'il concerne les îles situées plus à l'ouest.

L'origine du Portland Canal peut être comme il y a lieu à croire, l'embouchure de quelque fleuve qui coule par le milieu du pays occupé par la Compagnie de la Baie de Hudson, et il est par conséquent d'une importance majeure à la Grande Bretagne d'en posséder la souveraineté des deux rives.

Ce fut dans l'espoir de pouvoir concilier ces objets indispensables avec ceux du Gouvernement Impérial, et de déterminer sans plus de délai, une question qu'il paroissoit être également de l'intérêt des deux parties d'arranger définitivement au moment actuel que le Plénipotentiaire de Sa Majesté Britannique eut l'honneur de proposer dans sa dernière conférence avec les Plénipotentiaires de Russie, une ligne de démarcation qui tout en conservant à la Russie pour limite méridionale sur les îles le degré de latitude designé par l'Oukaze de 1799, assigneroit en même tems à la Grande Bretagne pour limite sur la côte de la terre ferme la latitude de 56° 30' Nord.

Il semble qu'une ligne tracée de l'extrémité méridionale du Détroit nommé "Duke of Clarence's Sound" * par le milieu de ce détroit jusqu'au milieu du détroit qui sépare les îles du Prince de Galles et du Duc d'York de toutes les îles situées au nord des dites îles, de là vers l'est par le milieu du même détroit jusqu'à la terre ferme, et se prolongeant en suite dans la direction et de la manière déjà proposée par le Plénipotentiaire de Sa Majesté Britannique jusqu'à Mont Elias, ou à l'intersection du 140^{me} degré de longitude, formeroit une ligne de démarcation qui concilieroit peut être d'une manière satisfaisante les intérêts réciproques tant actuels que futurs des deux empires dans cette partie du globe.

No. 16.

E.

DECISION of RUSSIAN GOVERNMENT in which they insist upon the demarcation as described in their Contre Projet (paper marked A.).

St. Petersburg, le 1^{er} Mars, 1824.

LES Plénipotentiaires de Russie ont porté à la connoissance de l'Empereur leur maître les dernières propositions qui leur ont été faites par Sir Charles Bagot relativement à la ligne de démarcation qui sépareroit les Possessions Russes des Possessions Anglaises sur la côte Nord-Ouest du continent de l'Amérique.

Attentivement examinées par Sa Majesté Impériale ces propositions ne lui ont point paru de nature à pouvoir être acceptées.

L'Empereur charge ses Plénipotentiaires de déclarer itérativement à Mons. l'Ambassadeur d'Angleterre :

Que la possession de l'île du Prince de Galles sans une portion de territoire sur la côte située vis-à-vis de cette île ne pourroit être d'aucune utilité à la Russie.

Que tout l'établissement formé sur la dite île, ou sur celles qui l'environnent se trouveroit en quelque sorte tournés par les établissemens Anglais de la terre ferme et complètement à la merci de ces derniers.

Qu'en conséquence un arrangement semblable ne seroit nullement conforme au principe des convenances mutuelles.

Qu'au reste d'après le témoignage des cartes les plus récentes publiées en Angleterre il n'existe aucun établissement Anglais ni sur la côte même du continent, ni au nord du 54 degré de latitude septentrionale.

Qu'ainsi quand les limites fixées aux possessions Russes par la charte de 1799, n'auroient point en leur faveur depuis 25 ans le consentement tacite de toutes les Puissances encore la Russie exerceroit elle sur cette partie de la côte précisément les mêmes droits que la Grande Bretagne, d'où il résulte que la question devoit toujours être résolue, non d'après les intérêts exclusifs d'un des deux Empires mais de manière à concilier leurs intérêts réciproques.

Qu'enfin quant à la navigation des fleuves, la Russie croyoit avoir offert à la Grande Bretagne tous les avantages et toutes concessions que celle ci peut désirer : et que dans cet état de choses les Plénipotentiaires de Sa Majesté Impériale avoient ordre d'insister sur leurs propositions antérieures, propositions dont ils ont amplement développé les motifs à Son Excellence Monsieur le Chevalier Bagot.

L'Empereur espère que ces motifs seront appréciés par le Gouvernement de Sa Majesté Britannique et que Mons. l'Ambassadeur d'Angleterre les fera valoir avec ce désir de rapprocher les opinions respectives qu'il a manifesté dans tout le cours de cette négociation.

Sa Majesté Impériale est au regret de ne pas la voir terminer dès à présent, mais Elle se flatte que les résolutions définitives du Cabinet de Londres, empêcheront sans doute ces pourparlers de demeurer stériles.

* See Appendix No. 39, p. 67.

COMTE DE NESSELRODE to COMTE DE LIEVEN.

MONS. LE COMTE,

St. Petersbourg, Avril 5, 1824.

PAR mes dépêches du 17 de ce mois j'ai fait connaître à Votre Excellence les résultats peu satisfaisans de nos négociations avec Sir Charles Bagot relatives aux frontières qui doivent séparer les Possessions Russes des Possessions Anglaises sur la côte Nord Ouest de l'Amérique.

Aujourd'hui Mons. le Comte, je vous développerai les motifs, qui ne nous ont pas permis d'accepter les propositions de l'Ambassadeur d'Angleterre.

Pour ne pas entrer sans nécessité dans de trop longs détails, je me bornerai à discuter ici le point de la question sur lequel nous n'avons pu tomber d'accord.

L'Oukaze du 4/16 Septembre 1821 avoit porté jusqu'au 51° de latitude septentrionale les limites des domaines de la Russie sur la côte Nord Ouest du continent Américain. Cependant l'Empereur s'étant convaincu que presque à la même époque la Compagnie Anglaise de la Baie d'Hudson avoit formé des établissemens par les 53° et 54° de latitude septentrionale, et que ces établissemens n'étoient même plus très éloignés de la côte, nous autorisa à donner dès l'ouverture des négociations une preuve de ses intentions conciliantes en déclarant à Sir Charles Bagot que nous nous tiendrions aux limites assignées à nos possessions Américaines par la charte de l'Empereur Paul, qu'en conséquence la ligne du 55^{me} degré de latitude septentrionale, constituerait du midi la frontière des Etats de Sa Majesté Impériale que sur le continent et vers l'Est, cette frontière pourroit courir le long des montagnes que suivent les sinuosités de la côte jusqu'au Mont Elie, et que de ce point jusqu'à la mer glaciale nous fixerions les bornes des possessions respectives d'après la ligne du 140^{me} degré de Longitude Ouest (méricien de Greenwich).

Afin de ne pas couper l'île Prince de Galles, qui selon cet arrangement devoit rester à la Russie nous propositions de porter la frontière méridionale de nos domaines au 54° 40' de latitude et de la faire aboutir sur le continent au Portland Canal dont l'embouchure dans l'Océan est à la hauteur de l'île du Prince de Galles et l'origine dans les terres entre le 55° et 56° de lat.

Cette proposition ne nous assuroit qu'une étroite lisière sur la côte même, et elle laissoit aux établissemens Anglais tout l'espace nécessaire pour se multiplier et s'étendre.

Vous verrez M. le Comte par les pièces ci-jointes qu'en outre nous annonçons l'ouverture du port de Novo Archangelsk et que nous promettons la libre navigation des fleuves qui se trouveroient sur notre territoire.

Après quelques discussions les dernières contre-propositions de Sir Charles Bagot, furent de comprendre toute l'île de Prince de Galles dans les possessions de la Russie, mais de stipuler que notre frontière suivroit de cette île la passe dite *Duke of Clarence's Sound*, et qu'elle n'aboutiroit à la côte qu'au dessus de 56° de latitude septentrionale.

Cette différence si on la considère sur la Carte, paroît insignifiante au premier coup d'œil; elle est néanmoins si essentielle pour nous qu'il nous est absolument impossible d'adhérer au plan de démarcation tracé par le Plénipotentiaire de Sa Majesté Britannique.

Nous lui avons exposé dans notre réponse à la seconde note verbale et dans notre réplique du 18 Mars, des considérations que nous ne pouvons perdre de vue et qui nous semblent décisives. L'Empereur vous charge Mons. le Comte d'inviter le Cabinet de St. James à les peser avec la plus mûre attention, et Sa Majesté se flatte qu'à la suite d'un examen impartial, il s'empressera lui même de reconnoître combien nos raisons sont graves et légitimes.

En premier lieu aucun état n'a réclamé contre la charte de l'Empereur Paul, et ce silence universel peut et doit être envisagé comme une reconnaissance de nos droits.

On nous objecte que nous n'avons pas formé d'établissemens stables sur la côte Nord Ouest au dessous de 57° de latitude. Cela est vrai, mais dans la saison de la chasse et de la pêche, la côte et les eaux avoisinantes sont exploitées par notre Compagnie Américaine bien au delà du 55° et du 54° parallèle. Ce genre d'occupation est le seul dont ces parages soient susceptibles, ou du moins le seul qui soit nécessaire lorsqu'un peu plus au nord on a fondé et organisé des colonies. Nous sommes donc pleinement en droit d'insister sur la continuation d'un bénéfice que votre commerce s'est assuré dès l'année 1799: tandis que les Compagnies Anglaises de la Baie d'Hudson et du Nord Ouest ont à peine atteint depuis trois ans le voisinage de ces latitudes, tandis qu'elles n'occupent encore aucun point qui touche à l'Océan et qu'il est notoire que c'est pour l'avenir seulement qu'elles cherchent à s'y ménager les profits de la chasse et de la pêche.

Ainsi nous voulons *conserver*, et les Compagnies Anglaises veulent *acquérir*. Cette seule circonstance suffit pour justifier nos propositions. Elles ne sont pas moins conformes aux principes des convenances mutuelles, qui devoit servir de base à la négociation.

Si l'île du Prince de Galles nous demeure, il faut qu'elle puisse nous être de quelque utilité. Or d'après le plan de l'Ambassadeur de l'Angleterre, elle ne seroit pour nous qu'une charge et presque un inconvénient. Cette île, en effet, et les établissemens que nous y formerions, se trouveroient entièrement isolés, privés de tout soutien, enveloppés par les domaines de la Grande Bretagne et à la merci des établissemens Anglais de la côte. Nous nous épuiserions en frais de garde et de surveillance dont aucune compensation n'allégeroit le fardeau. Un arrangement pareil reposerait-il sur le principe des convenances mutuelles ?

Nous invoquons toutefois ce principe avec d'autant plus de justice que l'Angleterre elle-même a prouvé par un acte authentique, qu'elle regardoit comme douteux ses droits sur le territoire dont elle demande l'abandon. La Convention passée le 20 Octobre 1818 entre la Cour de Londres et les Etats Unis déclare propriété commune des deux Puissances pour dix ans, toute l'étendue de pays comprise entre les Rocky Mountains, l'Océan Pacifique et les possessions Russes. Les titres des Etats Unis à la souveraineté de ce pays sont donc aussi valable que ceux de l'Angleterre.

Cependant le Cabinet de Washington a reconnu que nos limites devoient descendre jusqu'au 51° 40'. Il l'a reconnu par une transaction formelle que nous venons de parapher avec son Plénipotentiaire, et cette reconnaissance n'a point pour conséquence unique de fortifier nos argumens, elle nous procure d'autres résultats auxquels nous attachions avec raison, le plus haut intérêt.

Tranquilles de ce côté nous n'avons maintenant aucune crainte à nourrir, et le Cabinet de Londres conviendra sans doute, qu'un tel état de choses augmente le prix des sacrifices que nous lui offrons. Déjà il existe une différence de près de quatre degrés entre la démarcation de l'Oukase du 1^{er} Septembre 1821, et celle que nous indignons aujourd'hui. Les établissemens des Compagnies Anglaises peuvent occuper cet intervalle. A l'Est ils peuvent unir les deux côtes de l'Amérique, au midi rien n'empêche qu'ils n'acquiescent une extension considérable. Pour nous, nous bornons nos demandes à celle d'une simple lisière du continent, et afin de lever toute objection, nous garantissons la libre navigation des fleuves, nous annonçons l'ouverture du port de Novo Archangelsk.

La Russie ne sauroit pousser plus loin ses concessions. Elle n'en fera pas d'autres, et elle est autorisée à en attendre de la part de l'Angleterre, mais encore une fois elle ne réclame que des concessions négatives. On ne peut effectivement assez le répéter, d'après le témoignage des cartes les plus récentes, l'Angleterre ne possède aucun établissement, ni à la hauteur du Portland Canal, ni à bord-même de l'Océan, et la Russie quand elle insiste sur la conservation d'un médiocre espace de terre ferme, n'insiste au fond que sur le moyen de faire valoir, nous dirons plus, de ne pas perdre les îles environnantes. C'est la position dont nous parlons tout à l'heure ; nous ne recherchons aucun avantage, nous voulons éviter de graves inconvéniens.

En résumé Monsieur le Comte, si l'on consulte le droit dans cette négociation, la Russie a celui qu'assurent, d'une part, un consentement tacite, mais incontestable, de l'autre, une exploitation paisible depuis vingt cinq ans et qui peut être considérée comme équivalente à une occupation continue.

Si l'on invoque le principe des convenances mutuelles, la Russie laisse au développement progressif des établissemens Anglois, une vaste étendue de côte et de territoire ; elle leur assure de libre débouchés, elle pourvoit aux intérêts de leur commerce, et pour compenser tant d'offres dictées par le plus sincère esprit de conciliation, elle se réserve uniquement un point d'appui, sans lequel il lui seroit impossible de garder une moitié de ses domaines.

De telles vues n'ont besoin que d'être présentées dans leur vrai jour, pour qu'un Gouvernement comme celui de la Grande Bretagne sache les apprécier. Douter de son adhésion dans cette circonstance, ce seroit douter de sa justice, et il vous sera facile, l'Empereur se plait à le croire, d'obtenir le consentement définitif de l'Angleterre à une transaction qui rempliroit nos vœux et nos espérances en prévenant toute discussion ultérieure.

Recevez M. le Comte,
L'assurance, etc.
(Signé) NESSELRODE,

HUDSON'S BAY COMPANY to FOREIGN OFFICE.

Hudson's Bay House, London,
April 19, 1824.

SIR,

I HAVE this morning laid before the Committee of the Hudson's Bay Company Sir Charles Bagot's Despatch,* and papers connected with it, which you did me the honour to entrust to me on Saturday morning, and I am to state that if His Majesty's Government consider it advisable in other respects to accede to the last proposition made by the Russian Government for the arrangement of a line of demarcation between the possessions of Russia and Great Britain on the coast of North America, they see no reason to object to it, as it will affect their particular interests, and more especially as it appears to secure to them free access to the sea for the purposes of their trade on the whole coast to the eastward of the 139 degree of longitude.

They beg me, however, to suggest the expediency of some more definite demarcation on the coast than the supposed chain of mountains contiguous to it, and they conceive there can be no difficulty in arranging this point, from the expression in the proposition of the Russian negotiators, "*La chaîne des montagnes, qui sont à une très petite distance des sinuosités de la côte.*"

Neither party have any very accurate geographical information with respect to the country in the immediate neighbourhood of the sea, and if the intentions of the Russians are fairly to be inferred from the words used in their proposal, the most satisfactory manner of settling this point probably would be by inserting in any article providing for the boundary on the main land the nearest chain of mountains not exceeding a few leagues of the coast.

I am desired by the Committee further to beg, if these negotiations should be brought to a satisfactory issue, that you would have the goodness to state to the Russian Government their great desire to promote a good understanding and a reciprocity of good offices between the subjects of both nations trading in those remote and inhospitable countries.

I have, &c.
(Signed) J. H. FELLY.

To the Right Hon. George Canning,
&c. &c. &c.

RIGHT HON. G. CANNING to SIR C. BAGOT.

(No. 18.)

Foreign Office, April 24, 1824.

EXTRACT.

* * * * *

I will not, however, defer till that opportunity the informing your Excellency that your conduct in suspending the negotiations with respect to the North-west Coast of America, when you found that the modifications which you judiciously took upon yourself to make in your instructions were not met by corresponding concessions on the part of the Russian Government, has received His Majesty's gracious approbation. I have referred the whole question of this negotiation anew to the Governors of the Hudson's Bay Company, whose report I expect shortly to receive.

I have some reason to think that that report will recommend the policy of closing with the Russian proposals rather than leaving the points in dispute unsettled for an indefinite time. It will then remain to consider, after I shall have learnt the tenour of the instructions sent to Count Lieven, whether it may be most expedient for the King's service to carry on the ulterior discussions with the Russian Ambassador here or to authorise your Excellency to resume and conclude the negotiation.

* * * * *

No. 20.

MR. PELLY (HUDSON'S BAY COMPANY) to FOREIGN OFFICE.
(Private.)

Sir, 3, Portman Square, May 26, 1824.
If it is intended to conclude any treaty with Russia under the present circumstances, the copy of the communication which I saw yesterday embraced all the points which appear necessary to secure the objects of the Hudson's Bay Company, with the exception of a more particular description of how the mountains range with the sinuosity of the coast, as it is possible that those mountains represented in the charts as closely bordering on the sea, and described by the Russians as a "très petite distance," may really be at a very considerable distance from the coast; and to provide for which case the distance ought to be limited, as Sir Charles Bagot proposed, to a few leagues, say, not exceeding 10 from the shores. But the copy of the convention between Russia and America seems to have rendered the concessions proposed to be made by Great Britain (founded on the basis of mutual convenience) quite unnecessary, for by it Russia has bound herself in the 3rd Article not to form any establishment to the southward of 54° 40', or Prince of Wales Island, and by the 4th Article it is covenanted that for ten years all vessels belonging to the two powers may reciprocally frequent all the harbours for the purposes of trade with the natives.

I am at a loss to understand how the great object of the arrangement (the prevention of the collision of the traders of the different powers) is to be attained by these means, or why Great Britain should cede to Russia the exclusive right to the islands and the coast from lat. 54° 40' northward to Mount Elias, and to which Russia can have no claim, and knows them only by the English names of George III. and Prince of Wales Archipelago. Russia has nothing now to concede in return, the convention with the United States depriving her of the power of forming any establishment to the southward.

The view which I took of the subject when I had the honour of conferring with you thereon was, that it would be more for the interest of all parties that the limits of each power should be defined, and that, as far as the British fur trade was concerned, it would be better for Great Britain to surrender to Russia all claim she had to the Island of Prince of Wales and those to the northward of it, provided Russia surrendered to Great Britain all rights she had to the coasts and islands to the southward from the aforesaid island to the 51° lat. claimed in the famous Ukase. This would have facilitated the proposed arrangement between Great Britain and the United States of making the Columbia the boundary between them, but it appears to me that this convention between Russia and the United States renders it inexpedient for Great Britain to surrender any part of her claims to that coast unless upon a satisfactory arrangement with the United States as well as with Russia.

I should have to offer my apologies for the freedom with which I have given my sentiments had not Lord Francis Conyngham informed me it was your wish that I should do so.

Believe me, &c.
(Signed) J. H. PELLY.

Right Hon. Geo. Canning.

No. 21.

RIGHT HON. G. CANNING to SIR C. BAGOT.

(No. 22.)

Sir, Foreign Office, May 29, 1824.
I TRANSMIT to your Excellency a copy of a letter which I have addressed to Count Lieven* upon the subject-matter of two Despatches† from Count Nesselrode to Count Lieven which that Ambassador communicated to me, and copies of which I also enclose.

Your Excellency will learn from my letter to Count Lieven that you may expect definitive instructions very shortly both for the conclusion of the negotiation relating to the North-west Coast of America;

I hope to despatch a messenger to your Excellency with these instructions in the course of next week.

* No. 22, p. 50.

† No. 17, p. 46. The second has not been traced.—D.R.C.

Meantime the enclosed paper will put your Excellency generally in possession of the sentiments of Her Majesty's Government upon these several subjects. But your Excellency will not take any step upon them until you shall have received my promised instructions.

Sir Chas. Bagot.

I have, &c.
(Signed) GEORGE CANNING.

No. 22.

The RIGHT HON. G. CANNING to COUNT LIEVEN.

(Extract.)

MONS. LE COMTE,

Foreign Office, May 29, 1824.

AFTER mature consideration of the two Despatches from Count Nesselrode to your Excellency on the 5th ultimo, copies of which your Excellency had the goodness to put into my hands, I have the satisfaction to acquaint your Excellency that I shall be enabled shortly to send to Her Majesty's Ambassador at St. Petersburg such instructions on the subject-matter of both as shall meet in a great degree the wishes of your court.

1st. As to the line of demarcation to be drawn between Russian and British occupation on the North-west Coast of America: Sir Charles Bagot's discretion will be so far enlarged as to enable him to admit, with certain qualifications, the terms last proposed by the Russian Government.

The qualifications will consist chiefly in a more definite description of the limit to which the strip of land required by Russia on the continent is to be restricted, in the selection of a somewhat more western degree of longitude as the boundary to the northward of Mount Elias, in precise and positive stipulations for the free use of all rivers which may be found to empty themselves into the sea within the Russian frontier, and of all seas, straits, and waters which the limits assigned to Russia may comprehend.

It can hardly be expected that we should not also put in our claim for the like privileges of trade as are, or may be, stipulated with Russia by any other nation; and we take for granted that the exclusive claims of navigation and jurisdiction over the North Pacific Ocean, which were put forward in the Ukaze of September 1821, are to be altogether withdrawn.

* * * * *

No. 23.

The RIGHT HON. G. CANNING to SIR C. BAGOT.

(No. 24.)

Extract.

Foreign Office, June 29, 1824.

On this latter point* it is my intention to furnish your Excellency with the draft of a Convention which you may sign before your departure from St. Petersburg.

No. 24.

The RIGHT HON. G. CANNING to SIR C. BAGOT.

(No. 26.)

SIR,

Foreign Office, July 12, 1824.

AFTER full consideration of the motives which are alleged by the Russian Government for adhering to their last propositions respecting the line of demarcation to be drawn between British and Russian occupancy on the North-west Coast of America, and of the comparative inconvenience of admitting some relaxation in the terms of your Excellency's last instructions, or of leaving the question between the two Governments unsettled for an indefinite time, His Majesty's Government have resolved to authorise your Excellency to consent to include the south points of Prince of Wales' Island within the Russian frontiers, and to take, as the line of demarcation, a line drawn from

* North-west coast of America.

the southernmost point of Prince of Wales' Island, from south to north, through Portland Channel, till it strikes the mainland in latitude 56°; thence following the sinuosities of the coast along the base of the mountains nearest the sea to Mount Elias; and thence along the 139th degree of longitude to the Polar Sea.

I enclose the draft* of a Projet of Convention, founded upon these principles, which your Excellency is authorised to sign previously to your quitting St. Petersburg.

The advantages conceded to Russia by the line of demarcation traced out in this Convention are so obvious as to render it quite impossible that any objection can reasonably be offered, on the part of the Russian Government, to any of the stipulations in our favour.

There are two points which are left to be settled by your Excellency. First, in fixing the course of the eastern boundary of the strip of land to be occupied by Russia on the coast. The seaward base of the mountains is assumed as that limit. But we have experience that other mountains on the other side of the American continent, which have been assumed in former treaties as lines of boundary, are incorrectly laid down in the maps; and this inaccuracy has given rise to very troublesome discussions. It is therefore necessary that some other security should be taken that the line of demarcation to be drawn parallel with the coast, as far as Mount St. Elias, is not carried too far inland.

This is done by a proviso that that line shall in no case (*i.e.*, not in that of the mountains which appear by the map almost to border the coast, turning out to be far removed from it) be carried further to the east than a specified number of leagues from the sea. The utmost extent which His Majesty's Government would be disposed to concede would be a distance of 10 leagues. But it would be desirable if your Excellency were enabled to obtain a still more narrow limitation.

Secondly. Article 5 of the Projet is copied from Article 4 of the Convention between Russia and the United States of America. By the American article the right of visiting respectively, and resorting to each others possessions, is limited to 10 years. This limitation is left blank in the Projet.

We should have no objection to agree to the article without any limitation of time; we should prefer a longer period (say, 20 years) to that stipulated by the Americans. Your Excellency will obtain either of these extensions if you can, but you must not agree to a shorter term than 10 years.

Your Excellency will be careful to make it understood that this limitation of time cannot in any case extend to the use by Great Britain of the Harbour of New Archangel, still less of the rivers, creeks, &c. on the continent, the use of all which is in the nature of a compensation for the perpetual right of territory granted to Russia, and therefore must be alike perpetual. If your Excellency shall, as I cannot doubt, conclude and sign this Convention before your departure, you will make it a point to bring with you the ratification of the Russian Government to be exchanged by Count Lieven against that of His Majesty.

Sir Charles Bagot.

I am, &c.
(Signed) GEORGE CANNING.

No. 25.

RIGHT HON. G. CANNING to SIR C. BAGOT.

(No. 29.)

SIR,

Foreign Office, July 24. 1824.

THE projet of a Convention which is enclosed in my No. 26 having been communicated by me to Count Lieven, with a request that his Excellency would note any points in it upon which he conceived any difficulty likely to arise or any explanation to be necessary, I have received from his Excellency the Memorandum (a copy of which is herewith enclosed).

Your Excellency will observe that there are but two points which have struck Count Lieven as susceptible of any question; the first, the assumption of the *base* of the mountains, instead of the *summit*, as the line of boundary; the second, the extension of the right of the navigation of the Pacific to the sea beyond Behring's Straits.

As to the first, no great inconvenience can arise from your Excellency (if pressed for that alteration) consenting to substitute the *summit* of the mountains instead of the seaward base, provided always that the stipulation as to the extreme distance from the coast to which the *lisière* is in any case to run be adopted (which distance I have to repeat to your Excellency should be made as short as possible), and provided a stipula-

* No copy of this draft has been traced.—D.R.C.

tion be added that no forts shall be established or fortifications erected by either party on the summit or in the passes of the mountains.

As to the second point, it is perhaps, as Count Lieven remarks, new. But it is to be remarked in return that the circumstances under which this additional security is required will be new also.

By the territorial demarcation agreed to in this project Russia will become possessed in acknowledged sovereignty of both sides of Behring's Straits.

The power which could think of making the Pacific a *mare clausum* may not unnaturally be supposed capable of a disposition to apply the same character to a strait comprehended between two shores, of which it becomes the undisputed owner. But the shutting up of Behring's Straits and of the seas beyond them must be secured to us, not to be tolerated by England.

Nor could we submit to be excluded, either positively or constructively, from a sea in which the skill and science of our seamen has been and is still employed in enterprises interesting not to this country alone, but to the whole civilised world.

The protection given by the Convention to the American coasts of each power may (if it is thought necessary) be extended in terms to the coasts of the Russian Asiatic Territory; but in some way or other, if not in the form now prescribed, the free navigation of Behring's Straits and of the seas beyond them must be secured to us.

These being the only questions suggested by Count Lieven, I trust I may anticipate with confidence the conclusion and signature of the Convention nearly in conformity to the project and with little trouble to your Excellency.

The long delay of the ship makes it peculiarly satisfactory to me to have reduced your Excellency's task in this matter within so small a compass.

I am, &c.

Sir Chas. Bagot,
&c. &c.

(Signed) G. CANNING.

No. 26.

MEMORANDUM BY COUNT LIEVEN.—(24 July 1824.)

Le projet de Convention rédigé par le Cabinet Anglais fait courir la limite des Possessions Russes et Anglaises sur la Côte Nord Ouest d'Amérique au Sud du Mont Elie, le long de la base des montagnes qui suivent les sinuosités de cette côte. Il est à observer qu'en thèse générale lorsqu'une chaîne de montagnes sert à fixer une limite quelconque, c'est toujours la *cime* de ces montagnes qui forme la ligne de démarcation. Dans le cas dont il s'agit ici, le mot de *base* par le sens indéfini qu'il présente, et le plus ou moins d'extension qu'on peut lui donner, ne paraît guère propre à mettre la délimitation à l'abri de toutes contestations ultérieures car il ne serait point impossible, vu le peu de certitude des notions géographiques que l'on possède encore sur ces parages, que les montagnes désignées pour limite s'étendissent par une pente insensible jusqu'aux bords même de la côte.

Quant à la clause du même projet, ayant pour but d'assurer aux vaisseaux Anglais l'entrée libre dans la mer glaciale par le détroit de Behring, il semble en premier lieu, que cette condition entièrement nouvelle est par sa nature étrangère à l'objet spécial de la négociation et les termes généraux dans lesquels elle est conçue feront peut être hésiter le Gouvernement Impérial à l'admettre sans en modifier l'énoncé actuel pour ne point exposer les côtes de ses possessions Asiatiques dans la mer glaciale aux inconvénients qui pourraient naître de la visite des bâtimens étrangers.

No. 27.

THE RIGHT HON. GEO. CANNING to COUNT DE DELIEVEN.

(Extract.)

MONS. LE COMTE,

Foreign Office, September 12, 1824.

It is with great regret, and I confess with some surprise, that I have learnt from Sir Charles Bagot that your Court have declined to conclude the Treaty, the projet of which was sent out by the "Herald."

This refusal is the more unexpected, as the chief alterations made in the original projet were introduced here (as your Excellency can bear witness) at the suggestion of the Russian Plenipotentiaries themselves.

I have not yet had time to give sufficient consideration to the Contre Projet now presented on the part of those Plenipotentiaries to be enabled to say positively whether it can be accepted in all its parts. But I would fain hope that the differences between us may be not insurmountable; and I do most earnestly entreat your Excellency to submit to your Court, by your first messenger, the expediency of sending to your Excellency instructions and full powers to conclude and sign the Treaty here.

No. 28.

HUDSON'S BAY COMPANY to FOREIGN OFFICE.

Hudson's Bay House,

October 20, 1824.

SIR,

I DULY received Lord Francis Conyngham's letter of the 19th instant, with its enclosures, and it does not appear to me that the counter project of Russia is so essentially different from the one which His Majesty's Ministers have considered it advisable to propose to Russia, as far as the Hudson's Bay Company are concerned,* to reject it, except in the 2nd Article, which should more accurately define the eastern boundary from the Portland Canal to the 61° of north latitude to be the chain of mountains at a "très petite distance de la côte," but that if the summit of those mountains exceed ten leagues, that the said distance be substituted instead of the mountains.

It certainly would have been a more advisable arrangement had it been practicable to have made the streight between the mainland and the islands, instead of the mountains, the division not only as a more natural one, but would have prevented the possibility of collision of the traders of the two countries, and if this could be now obtained, relinquishing the proposed licence of visiting and trading with the natives for a term of years, in that part of the territory to which Russia is acknowledged as entitled to the sovereignty, I think it would be advisable; but if not practicable, we should have the same privileges as were granted to the Americans. On a former occasion I proposed the streight as the line of demarcation upon the principle of preventing collision, which was not only my idea, but you will recollect was one of the principal reasons stated by Russia for proposing a division of territory; and when it is considered the large tract that is conceded to the westward of the 139° of longitude to which Russia can have no better right than Great Britain, and which it is hoped Captain Franklin may be the first European who will explore, and that the only pretension she has to the coast between the 59° and 54° of latitude is the having made a grant of it to the Russian Fur Company, which has not been objected to by any European State (for Russia neither discovered nor has any settlements on it, or on any part of the continent within those latitudes, and our own† extend to the 57° and trade with the natives who come beyond the 60°), I do not think it too much to require, at the same time the Committee of the Hudson's Bay Company do not attach so much importance to the object I have pointed out, as to stand in the way of concluding the arrangement if in other points His Majesty's Government consider it desirable.

I have, &c.

The Right Hon. George Canning,
&c. &c. &c.

(Signed) J. H. PELLY.

No. 29.

RIGHT HON. G. CANNING to MR. S. CANNING.

(No. 1.)

SIR,

Foreign Office, December 8, 1824.

HIS MAJESTY having been graciously pleased to name you His Plenipotentiary for concluding and signing with the Russian Government a Convention for terminating the discussions which have arisen out of the promulgation of the Russian Ukase of 1821, and for settling the respective territorial claims of Great Britain and Russia on the North-west Coast of America, I have received His Majesty's commands to direct you

* As to make it expedient (?)—D.R.C.

† This apparently refers to the Stikine.—D.R.C.

to repair to St. Petersburg for that purpose, and to furnish you with the necessary instructions for terminating this long protracted negotiation.

The correspondence which has already passed upon this subject has been submitted to your perusal, and I enclose to you a copy,—First, of the project which Sir Charles Bagot was authorised to conclude and sign some months ago, and which we had every reason to expect would have been entirely satisfactory to the Russian Government.

2ndly, of a *contre projet** drawn up by the Russian Plenipotentiaries, and presented to Sir Charles Bagot at their last meeting before Sir Charles Bagot's departure from St. Petersburg.

3rdly, of a Despatch† from Count Nesselrode accompanying the transmission of the *contre projet* to Count Lieven.

In that Despatch and in certain marginal annotations upon the copy of the project are assigned the reasons of the alterations proposed by the Russian Plenipotentiaries.

In considering the expediency of admitting or rejecting the proposed alterations, it will be convenient to follow the articles of the Treaty in the order in which they stand in the English project.

You will observe, in the first place, that it is proposed by the Russian Plenipotentiaries entirely to change that order, and to transfer to the latter part of the instrument the article which has hitherto stood first in the project.

To that transposition we cannot agree, for the very reason which Count Nesselrode alleges in favour of it, viz.:—That the "Economic" or arrangement of the Treaty ought to have reference to the history of the negotiation.

The whole negotiation grows out of the Ukase of 1821.

So entirely and absolutely true is this proposition, that the settlement of the limits of the respective possessions of Great Britain and Russia on the North-west Coast of America was proposed by us only as a mode of facilitating the adjustment of the difference arising from the Ukase, by enabling the Court of Russia, under cover of the more comprehensive arrangement, to withdraw, with less appearance of concession, the offensive pretensions of that Edict.

It is comparatively indifferent to us whether we hasten or postpone all questions respecting the limits of territorial possession on the continent of America, but the pretensions of the Russian Ukase of 1821, to exclusive dominion over the Pacific, could not continue longer unrepealed without compelling us to take some measure of public and effectual remonstrance against it.

You will, therefore, take care in the first instance to repress any attempt to give this change to the character of the negotiation, and will declare without reserve that the point to which alone the solicitude of the British Government and the jealousy of the British nation attach any great importance is the doing away (in a manner as little disagreeable to Russia as possible) of the effect of the Ukase of 1821.

That this Ukase is not acted upon, and that instructions have long ago been sent by the Russian Government to their cruisers in the Pacific to suspend the execution of its provisions, is true, but a private disavowal of a published claim is no security against the revival of that claim; the suspension of the execution of a principle may be perfectly compatible with the continued maintenance of the principle itself, and when we have seen in the course of this negotiation that the Russian claim to the possession of the coast of America down to latitude 59 rests, in fact, on no other ground than the presumed acquiescence of the nations of Europe in the provisions of an Ukase published by the Emperor Paul in the year 1800, against which it is affirmed that no public remonstrance was made, it becomes us to be exceedingly careful that we do not by a similar neglect on the present occasion allow a similar presumption to be raised as to an acquiescence in the Ukase of 1821.

The right of the subjects of His Majesty to navigate freely in the Pacific cannot be held as matter of indulgence from any power. Having once been publicly questioned, it must be publicly acknowledged.

We do not desire that any distinct reference should be made to the Ukase of 1821, but we do feel it necessary that the statement of our right should be clear and positive, and that it should stand forth in the Convention in the place which properly belongs to it, as a plain and substantive stipulation, and not be brought in as an incidental consequence of other arrangements to which we attach comparatively little importance.

This stipulation stands in the front of the Convention concluded between Russia and the United States of America, and we see no reason why, upon similar claims, we should not obtain exactly the like satisfaction.

* No. 16, p. 43.

† No. 17, p. 46.

For reasons of the same nature we cannot consent that the liberty of navigation through Behring's Straits should be stated in the Treaty as a boon from Russia.

The tendency of such a statement would be to give countenance to those claims of exclusive jurisdiction against which we, on our own behalf and on that of the whole civilized world, protest.

No specification of this sort is found in the Convention with the United States of America, and yet it cannot be doubted that the Americans consider themselves as secured in the right of navigating Behring's Straits and the sea beyond them.

It cannot be expected that England should receive as a boon that which the United States hold as a right so unquestionable as not to be worth recording.

Perhaps the simplest course after all will be to substitute for all that part of the project and contre projet which relates to maritime rights and to navigation, the first two articles of the Convention already concluded by the Court of St. Petersburg with the United States of America, in the order in which they stand in that Convention.

Russia cannot mean to give to the United States of America what she withholds from us, nor to withhold from us anything that she has consented to give to the United States.

The uniformity of stipulations, *in pari materia*, gives clearness and force to both arrangements, and will establish that footing of equality between the several contracting parties which it is most desirable should exist between three powers whose interests come so nearly in contact with each other in a part of the globe in which no other power is concerned.

This, therefore, is what I am to instruct you to propose at once to the Russian Minister, as cutting short an otherwise inconvenient discussion.

This expedient will dispose of Article 1 of the project, and of Articles 5 and 6 of the contre projet.

The next articles relate to the territorial demarcation, and upon them I have only to make the following observations:—The Russian Plenipotentiaries propose to withdraw entirely the limit of the *lisière* on the coast which they were themselves the first to propose, viz., the summit of the mountains which run parallel to the coast, and which appear according to the map to follow all its sinuosities, and to substitute generally that which we only suggested as a corrective of their first proposition.

We cannot agree to this change. It is quite obvious that the boundary of mountains where they exist is the most natural and effectual boundary. The inconvenience against which we wished to guard was, that which you know and can thoroughly explain to the Russian Plenipotentiaries to have existed on the other side of the American continent, when mountains laid down in a map as in a certain given position, and assumed in faith of the accuracy of that map as a boundary between the possessions of England and the United States, turned out to be quite differently situated, a discovery which has given rise to the most perplexing discussion. Should the maps be no more accurate as to the western than as to the eastern mountains, we might be assigning to Russia immense tracts of inland territory, where we only intended to give and they only intended to ask a strip of sea coast!

To avoid the chance of this inconvenience we proposed to qualify the general proposition, "that the mountains should be the boundary," with the condition "if those mountains should not be found to extend beyond 10 leagues from the coast." The Russian Plenipotentiaries now propose to take the distance invariably as the rule. But we cannot consent to this change. The mountains, as I have said, are a more eligible boundary than any imaginary line of demarcation, and this being their own original proposition the Russian Plenipotentiaries cannot reasonably refuse to adhere to it.

Where the mountains are the boundary we are content to take the *summit* instead of the "seaward base" as the line of demarcation.

I omitted in my last instructions to Sir Charles Bagot, though I had signified to Count Lieven, that I intended to require a small extension of the line of demarcation from the point where the *lisière* on the coast terminates in latitude 59° to the northward.

The extension required is from 139° to 141° W. longitude, the latter being the parallel which falls more directly on Mount Elias.

With regard to the port of Sitka or New Archangel the offer came originally from Russia, but we are not disposed to object to the restriction which she now applies to it.

We are content that the port shall be open to us for 10 years, provided only that if any other nation obtains a more extended term the like term shall be extended to us also.

We are content also to assign the period of 10 years for the reciprocal liberty of access and commerce with each others territories, which stipulation may be best stated precisely in the terms of Article 4 of the American Convention.

These, I think, are the only points in which alterations are required by Russia, and we have no other to propose.

A Projet such as it will stand according to the observations of this Despatch is enclosed, which you will understand as furnished to you as a guide for the drawing up of the Convention, but not as prescribing the precise form of words, nor fettering your discretion as to any alterations, not varying from the substance of these instructions.

It will of course strike the Russian Plenipotentiaries that by the adoption of the American article respecting navigation, &c., the provision for an exclusive fishery of two leagues from the coasts of our respective possessions falls to the ground.

But the omission is in truth immaterial.

The law of nations assigns the exclusive sovereignty of *one* league to each power off its own coasts, without any specified stipulation, and though Sir Charles Bagot was authorised to sign the Convention with the specific stipulation of two leagues, in ignorance of what had been decided in the American Convention at the time, yet, after that Convention has been some months before the world, and after the opportunity of reconsideration has been forced upon us by the act of Russia herself, we cannot now consent, in negotiating *de novo*, to a stipulation which, while it is absolutely unimportant to any practical good, would appear to establish a contract between the United States and us to our disadvantage.

Count Nesselrode himself has frankly admitted that it was natural that we should receive at the hands of Russia equal measure in all respects with the United States of America.

It remains only in recapitulation to remind you of the origin and principles of this whole negotiation.

It is *not*, on our part, essentially a negotiation about limits.

It is a demand of the repeal of an offensive and unjustifiable arrogation of exclusive jurisdiction over an ocean of unmeasured extent; but a demand qualified and mitigated in its manner, in order that its justice may be acknowledged and satisfied, without soreness or humiliation on the part of Russia.

We negotiate about territory to cover the remonstrance upon principle.

But any attempt to take undue advantage of this voluntary facility we must oppose.

If the present projet is agreeable to Russia we are ready to conclude and sign the Treaty.

If the territorial arrangements are not satisfactory we are ready to postpone them; and to conclude and sign the essential part, that which relates to navigation alone; adding an article stipulating to negotiate about territorial limits hereafter.

But we are not prepared to defer any longer the settlement of that essential part of the question, and if Russia will neither sign the whole Convention, nor that essential part of it, she must not take it amiss that we resort to some mode of recording in the face of the world our protest against the pretensions of the Ukaze of 1821, and of effectually securing our interests against the possibility of its future operations.

I have, &c.

(Signed) G. CANNING.

Mr. Stratford Canning,

&c. &c.

No. 30.

MR. S. CANNING to RIGHT HON. G. CANNING.

(EXTRACT.)

St. Petersburg, February 13, 1825.

ON reading the Projet, some difficulties were started, and some discussion took place; but I hold it unnecessary to trouble you with a more particular account of this conference, as the Russian Plenipotentiaries were not then prepared to express any decided opinion as to those parts of the Projet which do not entirely come up to their proposals, and I have expressly reserved to myself the liberty of recording my explanations in an official shape, in the event of their persisting to object to any essential part of its contents.

No. 31.

MR. STRATFORD CANNING to RIGHT. HON. G. CANNING.

(No. 15.)

Sir,

St. Petersburg, February 17/ March 1, 1825.

By the messenger Latchford I have the honour to send you the accompanying Convention between His Majesty and the Emperor of Russia respecting the Pacific Ocean and North-west Coast of America, which according to your instructions I concluded and signed last night with the Russian Plenipotentiaries.

The alterations which, at their instance, I have admitted into the projet such as I presented it to them at first, will be found I conceive to be in strict conformity with the spirit and substance of His Majesty's commands. The order of the two main subjects of our negotiation, as stated in the preamble of the Convention, is preserved in the articles of that instrument. The line of demarcation along the strip of land on the North-west Coast of America assigned to Russia is laid down in the Convention agreeably to your directions, notwithstanding some difficulties raised on this point, as well as on that which regards the order of the articles, by the Russian Plenipotentiaries.

The instance in which you will perceive that I have most availed myself of the latitude afforded by your instructions to bring the negotiations to a satisfactory and prompt conclusion, is the division of the 3rd article of the new projet, as it stood when I gave it in, into the 3rd, 4th, and 5th articles of the Convention signed by the Plenipotentiaries.

This change was suggested by the Russian Plenipotentiaries, and at first it was suggested in a shape which appeared to me objectionable; but the articles as they are now drawn up I humbly conceive to be such as will not meet with your disapprobation. The second paragraph of the 4th article had already appeared parenthetically in the 3rd article of the projet, and the whole of the 4th article is limited in its signification and connected with the article immediately preceding it by the first paragraph.

With respect to Behring's Straits I am happy to have it in my power to assure you, on the joint authority of the Russian Plenipotentiaries, that the Emperor of Russia has no intention whatever of maintaining any exclusive claim to the navigation of those straits, or of the seas to the north of them.

It cannot be necessary under these circumstances to trouble you with a more particular account of the several conferences which I have held with the Russian Plenipotentiaries, and it is but justice to state that I have found them disposed throughout this latter stage of the negotiation to treat the matters under discussion with fairness and liberality.

As two originals of the Convention prepared for His Majesty's Government are signed by the Plenipotentiaries I propose to leave one of them with Mr. Ward for the Archives of the Embassy.

I have, &c.

The Right Hon. George Canning,
&c. &c. &c.

(Signed) STRATFORD CANNING.

No. 32.

RIGHT HON. J. CANNING to MR. S. CANNING.

(No. 6.)

Sir,

Foreign Office, March 15, 1825.

YOUR Despatches to No. 13 inclusive have been received and laid before the King.

I enclose to you a copy of a Despatch received from Mr. Addington by which you will see that the Government and Senate of the United States have ratified the Treaty of North-west American Boundaries and Navigation which was negotiated at St. Petersburg last year.

It is hardly necessary to point out to you the additional force which the conclusion of this transaction gives to that part of your instructions on the same subject which prescribes the demand of this country for terms as favourable as those which have been obtained by the United States.

I have, &c.

Mr. S. Canning.

(Signed) GEORGE CANNING

No. 33.

RIGHT HON. GEORGE CANNING to MR. S. CANNING.

(No. 8.)

(Extract.)

SIR,

Foreign Office, April 2, 1825.

YOUR Despatches by the messenger Latchford were received here on the 21st of March and that of the 12th of March by the post on the 28th.

Having laid them before the King I have received His Majesty's Commands to express His Majesty's particular satisfaction at the conclusion of the Treaty respecting the Pacific Ocean and North-west Coast of America in a manner so exactly conformable to your instructions, and to direct you to express to the Russian Government the pleasure which His Majesty derives from the amicable and conciliatory spirit manifested by that Government in the completion of this transaction.

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No. 34.

MR. S. CANNING to RIGHT HON. G. CANNING.

(No. 30.)

SIR,

St. Petersburg, April 3/15, 1825.

I BEG leave to trouble you with a few words in acknowledgment of your two Despatches, the one containing a copy of a letter addressed by you to his Excellency Prince de Polignac on the subject of certain oyster fisheries lying between the Island of Jersey and the adjacent coast of France, and the other enclosing a Despatch from Mr. Addington to you announcing the ratification of the Convention concluded last year between Russia and the United States touching the navigation of the Pacific Ocean and other matters connected with that subject.

I trust that the objects to which the communications transmitted with those Despatches relate have been found to be sufficiently secured by the Convention which, under your instructions, I have signed during my residence here in concert with the Russian Plenipotentiaries.

With respect to the right of fishing, no expiation whatever took place between the Plenipotentiaries and myself in the course of our negotiations. As no objection was started by them to the article which I offered in obedience to your instructions, I thought it inadvisable to raise a discussion on the question, and the distance from the coast at which the right of fishing is to be exercised in common passed without specification, and consequently rests on the law of nations as generally received.

Conceiving, however, at a later period that you might possibly wish to declare the law of nations thereon jointly with the Court of Russia in some ostensible shape, I broached the matter anew to Count Nesselrode, and suggested that he should authorise Count Lieven, on your invitation, to exchange notes with you declaratory of the law as fixing the distance at one marine league from the shore.

Count Nesselrode replied that he should feel embarrassed in submitting this suggestion to the Emperor just at the moment when the ratifications of the Convention were on the point of being despatched to London, and he seemed exceedingly desirous that nothing should happen to retard the accomplishment of that essential formality. He assured me at the same time that his Government would be content, in executing the Convention, to abide by the recognised law of nations, and that if any question should hereafter be raised upon the subject, he should not refuse to join in making the suggested declaration, on being satisfied that the general rule under the law of nations was such as we supposed.

Having no authority to press the point in question, I took the assurance thus given by Count Nesselrode as sufficient, in all probability to answer every national purpose.

Referring to the American Treaty, I am assured as well by Count Nesselrode as by Mr. Middleton that the ratification of that instrument was not accompanied with any explanations calculated to modify or affect in any way the force and meaning of its articles. But I understand that at the close of the negotiation of that Treaty a protocol intended by the Russians to fix more specifically the limitation of the right of trading with their possessions, and understood by the American Envoy as having no such effect, was drawn up and signed by both parties. No reference whatever was made to this

paper by the Russian Plenipotentiaries in the course of my negotiation with them, and you are aware, Sir, that the articles of the Convention which I concluded, depend for their force entirely on the general acceptance of the terms in which they are expressed.

I have, &c.

The Right Hon. Geo. Canning,
&c. &c. &c.

(Signed) STRATFORD CANNING.

No. 35.

VANCOUVER'S VOYAGES, 8vo EDITION, 1801.*

EXTRACT FROM VOL. IV., CHAP. IV., p. 117.

By sunset we entered the arm, up which we expected to find this extensive inland navigation. To its south-east point of entrance I gave the name of Point Maskelyne, after the Astronomer Royal; it is situated in latitude $54^{\circ} 42'$ and longitude $229^{\circ} 45'$, and off it lie two rocky islets, and to the south of it a small island close to the shore. 1793,
Sunday,
July 21st.

The apparent extent of this inlet did not answer my expectations from the description that had been given of it. Its entrance is not more than two miles and a half across, and this, at the distance of a few miles, seemed to be materially contracted. If this be the same branch described by the natives, which is much to be questioned, especially as some of Mr. Brown's gentlemen considered the opening meant by those people to be further to the westward, it is called by them Ewen Nass. The word Ewen we understood to signify great or powerful, as Ewen Smoket, a great chief, but the word Nass was completely unknown to Mr. Brown and all of his party.

The divided country we had now examined from the forty-seventh degree of north latitude to this station, and the information derived from Mr. Brown rendered it highly probable that the continental shore still continued to have extensive islands lying between it and the ocean, to a very considerable distance further north.

The length of time which, as Mr. Brown understood, occupied these people in making so distant a journey may be accounted for by their tardy mode of travelling through each others dominions, or in passing through the various windings and crooked shallow channels, many of which, though sufficient for their canoes, were very probably unfit for the navigation of shipping. I have ever found it extremely hard, almost impossible, indeed, to make the inhabitants of these remote parts, and even the Sandwich islanders, with whose language we are much better acquainted, comprehend the kind of passage that is required for ships to pass through, or the kind of port or opening in the land that is capable of affording them safe and convenient shelter, in addition to which difficulty selfish or sinister views too frequently regulate them in the information they communicate. Be this as it may, it was our business now to determine the question, and embracing the favourable opportunity of a fair wind, we steered up the inlet, and were joined by Mr. Whidbey in the cutter, who had traced the continental shore to Point Maskelyne, where, on its becoming broken, he had desisted from any further examination until a future opportunity.

From Point Maskelyne, the two clusters of low rocks and breakers before noticed lie, the northernmost S. 28° W. eight miles and the southernmost S. 33° W. distant ten miles and a half; these in the day time and in clear weather are easily avoided, as there are always some of them above the surface of the water, but in dark nights or foggy weather they must render the navigation of the sound very dangerous. After passing between the northern cluster of these rocks and the continental shore, with which they form a channel about a mile in width, we had about that distance from the mainland soundings at the depth of 45, 55, 30, 15, 12, and 8 fathoms, soft bottom; the latter about half a mile from Point Maskelyne. No bottom was, however, gained after passing that point with 60 and 70 fathoms of line until 10 at night, when the Prince lee Boo, having reached the contracted part of the inlet, made the signal for having soundings and anchorage. We arrived at this station about 11, and anchored in 35 fathoms water, soft bottom, after passing two openings on the eastern shore, besides that immediately round Point Maskelyne, where Mr. Brown had had his dispute with the natives.

* See also 4to edition, 1798, p. 327.

Monday,
22nd July.

We found our station next morning, Monday the 22nd, to be off the north-west part of an island lying near the eastern shore, and further up the inlet than those in the sloop had yet been; no information from them could therefore be any longer of use, though a continuation of their services would have been very acceptable. This made me regret that we had not one or two vessels of thirty or forty tons burthen, calculated as well for rowing as for sailing, to assist us in this intricate investigation, by which means much despatch would have been given to our survey, and our labours would have been carried on with much less danger and hardship than we had constantly endured.

I intended to proceed up this inlet until I should see sufficient employment for two boat parties, which I was convinced the surrounding region would soon afford, and also to seek a convenient situation where the vessels might remain; and, whilst this service was executing, to embrace the opportunity for making such astronomical observations as might be procured, and which were become necessary for correcting our survey, and ascertaining with precision the situation of the several parts of the broken region through which we had passed in the vessels and in the boats from Restoration Cove to this inlet. Pursuant to this determination we weighed about 7 in the morning, and the Prince lee Boo returned to the Rutterworth.

At our anchorage, lying from point Maskelyne N. 24 E. distant six miles, the width of the inlet was scarcely half a league. On the western shore a small opening appeared to branch off in different directions. North of the island the breadth of the inlet increased again to about two or three miles, trending N. 39 E. In pursuing this line about four miles we passed the south point of an opening on the eastern shore two miles wide, appearing to divide itself into several arms, but the western shore seemed to be compact from the opening opposite the anchorage until we arrived abreast of an opening, about two miles wide at its entrance, on the western shore, seemingly divided into two or three branches, taking a direction about N. 18 W. The observed latitude at this time was $54^{\circ} 58'$, longitude $230^{\circ} 3'$. The branch of the inlet we were now navigating was not of greater width, nor did it appear likely to become more extensive, than that to the westward of us just discovered. This made it uncertain which to consider as the main branch. Four other openings had been passed on the eastern shore whose extent had not yet been ascertained, and although I was much inclined to follow the north-westerly branch, yet I was apprehensive that by so doing we might be led too far from the continent, and by that means cause additional labour and loss of time. Our route was for this season continued to the N.N.E., and another division of the inlet stretching to the eastward was soon discovered.

In the event of a convenient situation being found in this branch I intended to stop the vessels there, and made the Chatham's signal, who had preceded us during the forenoon, to steer for the eastern opening, and shortened sail for the purpose of sending a boat before us to sound. Whilst we lay to wait the boat's return a few of the natives visited the ship in five or six canoes, they brought little to dispose of, yet appeared to be anxious that we should remain in their neighbourhood. Several inquiries were made for Ewen Nass, but these people seemed to be totally ignorant of the phrase until it had been repeated several times, and we had pointed in various directions; upon which some of them repeated the words, and imitated our motions, giving some amongst us reason to imagine that they meant that Ewen Nass was up this identical branch of the inlet; though in all other respects we remained totally ignorant of their language.

The appearance and direction of this opening, however, by no means favoured the opinion that it was an extensive channel communicating with the ocean to the north. The water that flowed from it remained without mixing on the surface of the water of the inlet. The upper water was nearly fresh, of a lightish colour, interspersed with thick muddy sheets, indicating it to have flowed from a small river whose source was not very remote.

At 3 o'clock the cutter returned with a very unfavourable account of the place so far as their examination had gone, especially on the northern side of the opening, from whence a shallow flat extended some distance, on which there was not more than from one to three fathoms water. The latter depth suddenly increased to 30, and, at the distance of a cable's length from the edge of the bank, to 50 and 60 fathoms. This shallow flat made the communication with the shore very unpleasant, and appeared to be continued all round. To those in the cutter the opening seemed to be nothing more than a deep bay with very shallow water, excepting in its north-east part, where a branch from which the muddy water flowed seemed to extend into the country. Across this branch they had also sounded, and found shallow water. As it did not, from this report, seem likely to answer our purpose, we proceeded round its north point of entrance and again made sail up the inlet, which, beyond this bay, was in general about half a league

wide. The shores on both sides were nearly straight and compact, in this pursuit our progress was greatly retarded by a counter tide or undertow, and, notwithstanding that we had a fresh gale from the south-east, the strength of this repelling current was such that the wind had no influence whatever, though in other situations the vessel with such a gale would have gone five or six knots per hour. On this occasion the ship became totally unmanageable; the wind was sometimes a-head, at others a-stern, a-broadside, and in every other direction; and we were drifting from side to side in the most unpleasant situation imaginable for two hours and a half, when the force of the wind prevailing, we advanced slowly up the inlet until about 11 at night. The distance of its shores had now again increased and the country became less elevated. A small cove was discovered on the eastern shore, where we anchored in 30 fathoms water.

This place, however, not appearing likely to suit our purpose, Mr. Whidbey was despatched early the next morning in quest of a more convenient situation, which the adjacent shores promised to afford, particularly in the northern quarter, where the land was moderately elevated, and seemed to be much broken. The interior country was, however, still composed of lofty, barren and snowy mountains. Tuesday, 23rd July.

In the forenoon Mr. Whidbey returned, having examined two or three coves, of which the most eligible appeared to be one that we had passed in the dark the preceding evening on the western shore, not more than a mile from our actual station. This afforded good anchorage, with every other convenience that we required. Having a moderate breeze from the southward we lost no time in proceeding thither, where we anchored in 31 and 35 fathoms water, muddy and small stony bottom. The points of the cove bore by compass N.N.E. and S. by E., the nearest shore W. by S. about a cable and a half distant, and the opposite shore of the inlet E.N.E. one mile distant.

On going on shore we found a small canoe with three of the natives, who were employed in taking salmon, which were in great abundance up a very fine run of fresh water that flowed into the cove. Some of these fish were purchased with looking-glasses and other trinkets. They were small, insipid, of a very inferior kind, and partaking in no degree of the flavour of European salmon.

In the afternoon the tents, observatory, chronometers, and instruments were sent on shore under the directions of Mr. Whidbey; and Mr. Johnstone in the Chatham's cutter, accompanied by Mr. Barrie in the "Discovery's" small cutter, and supplied with ten days' provisions, departed for the purpose of recommencing the survey of the continental shore northward from Point Maskelyne.

The account I had received of this famous inlet from Mr. Brown inducing me to undertake the principal examination of it myself, the "Discovery's" yawl and launch were equipped with supplies for a fortnight, being as much as they could possibly stow; Lieutenant Swaine was directed to attend me in the latter, and Mr. Puget, with Mr. Menzies, accompanied me in the yawl. The appearance of the country on the western side of this inlet left me little doubt of its being the continent, and we departed in full expectation that during this excursion we should finally determine the reality of the discoveries attributed to the labours of Admiral de Fonte.

With Mr. Whidbey I left the charge of the observatory, with orders to make all necessary observations for correcting the errors and ascertaining the rate of the chronometers; and the more completely to effect the former. I desired that Mr. Baker, and some others of the gentlemen, would assist in making as many observations as the circumstances would admit of for determining the true position of the station we had taken.

CHAPTER V.

Matters being all adjusted and arranged we departed at 5 o'clock on Wednesday morning, the 24th, in thick, rainy, unfavourable weather, which continued until the forenoon, when it became fair and pleasant. Our course was first directed along the eastern shore, which, from our anchorage on the night of the 22nd, took a direction N. 14 E. for six miles. We passed an island to the west of us, two miles long and half a mile broad, lying nearly in the same direction about three fourths of a mile from the eastern shore, and having reached this extent we entered a narrow arm, leaving to the west a coast apparently much broken and divided by water. Wednesday, 24th July.

As we rapidly advanced up this arm, with a southerly wind and a flood tide in our favour, its width increased to about a mile, and taking a winding course to the E.N.E. it was terminated by a low border of land in latitude $55^{\circ} 26'$, longitude $230^{\circ} 36'$.

We stopped to dine about a mile short of the low border of land which composed the head of the arm. Here we were visited by seven of the natives, who approached us in a canoe with much caution, and landed some of their party at a little distance, whilst the

others advanced, seemingly with no small suspicion of our friendly intentions; this, however, was soon removed by the distribution of some trivial presents amongst them, and their reception being made known to their companions who had landed, these without the least hesitation joined our party also. They were well prepared with arms, consisting of long spears, bows and arrows, together with an iron dagger that each man wore about his neck or wrist. The chief of this party was soon pointed out, who, by means of signs easily understood, desired to partake of our repast. He was given some bread and dried fish, and afterwards a glass of brandy, all of which were much relished by himself and two or three of his friends. These people differed very little from the generality of the circumjacent natives, and rather seemed to be an exception to the trivial differences pointed out in those few inhabitants who visited us in Fishmonger's Cove. Their language appeared to be similar in some respects to that spoken at Queen Charlotte's Islands, at least a few common place expressions of that language were understood by these people. They made use of these, with many signs, to solicit us to visit their habitations, pointing out their situation to be on the low land at the head of the arm; but as it was out of our route we declined their invitations, and, with a favourable ebb tide, returned towards the entrance of the arm, being accompanied by these our new acquaintances, who were soon joined by another party from the village in a smaller canoe. On finding, however, that we did not return for the purpose of trading, they all retired to the village.

About 8 in the evening we reached the entrance of this arm, where we took up our abode for the night; the land of the shores which we had thus traced was, comparatively speaking, low, yet the interior country rose suddenly, and terminated our view by a range of high barren mountains, mostly covered with snow. The soil of the lower parts near the shores is chiefly composed of a light mossy substance, formed by the decay of trees and other vegetable productions, lying on an uneven rocky substance, which is the general foundation of this country and of all the coast we had yet seen this season.

Thursday,
25th July

At 4 o'clock the next morning, Thursday the 25th, we proceeded again, with thick cloudy weather, attended with some flying showers of rain. Our course was directed up the branch that appeared to be the main arm of the inlet through a narrow passage, occasioned by an island lying in mid-channel, about a league long and three-quarters of a mile broad, and having near it some rocks and breakers, like that we passed the preceding day. From the west point of the arm we had quitted, that which we were now pursuing extended N. 20° W. nearly straight, about 10 miles, where, as usual, it was terminated by low swampy ground, and in latitude $55^{\circ} 32'$, longitude $230^{\circ} 16'$. Our expectations of discovering the extensive inland navigation, distinguished by the name of Ewen Nass, were here a little disappointed, still, however, we entertained hopes of succeeding by the appearance of the low land on the western shore, and we returned in the afternoon to prosecute its examination. It was found to be a compact shore, much indented with small bays and coves, and abounding in some places with sunken rocks. In the south-westernmost of these coves, which is the deepest, we halted for the night, and although a situation for our tents was fixed upon amongst the pine trees, at least 20 feet above the surface of the water at our landing, and as we thought sufficiently without the reach of the tide, yet about 2 in the morning of Friday the 26th it flowed into the tents, and we were obliged to retire to our boats. At daylight we pursued the western shore of the inlet towards the ships, where we arrived about noon.

Friday,
26th July

I now entertained no doubt of this being the continental shore, and it was equally evident to me that it extended itself far up that branch which we had passed in the afternoon of the 22nd leading to the N.N.W. Having therefore determined to prosecute my researches in that quarter our stock of provisions was recruited, and after dining on board we recommenced our examination along the western shore of the inlet, and rested for the night in a small cove about 12 miles to the southward of the ship. The afternoon and night were very rainy and unpleasant, but early the next morning, Saturday the 27th, we set out with fair weather, and having a rapid tide in our favour soon reached the east point of entrance into the N.N.W. branch, which, after Mr. Ramsden, the optician, I called Point Ramsden, lying in latitude $54^{\circ} 59'$, longitude $230^{\circ} 21\frac{1}{2}'$. Off this point are some dangerous rocks that are visible only at low tide; from hence we directed our course N.W. three miles to a low point on the larboard shore, where we found this arm to communicate with another,* leading in a S.W. and N.N.E. direction, and being in general about half a league in width. After breakfast we pursued the latter direction, and steered for the eastern or continental shore. This extends first from Point Ramsden N. 21° W. six miles, and takes a N.N.E. course.

Saturday,
27th July

* The description of Portland Channel commences here. See Map No. 1.—D. R. C.

As we advanced we were joined by a party of fifteen natives in two canoes. A smoke had before been observed amongst the trees on the eastern shore, but we then saw no appearance of any habitations. These people approached us without much hesitation, and in their countenances was expressed a degree of savage ferocity infinitely surpassing anything of the sort I had before observed in the various tribes that had fallen under my notice. Many of those we had before seen had their faces painted in various modes; but these had contrived so to dispose of the red, white, and black as to render the natural ugliness of their countenances more horribly hideous. This frightful appearance did not seem to be a new fashion among them, but to have been long adopted by their naturally ferocious disposition, and was correspondent to the stern and savage deportment they took so much pains to exhibit. I offered them such presents as we had been accustomed to make on similar occasions, but they were rejected by some with disdain, whilst the few who deigned to take anything received our gifts with a stern and cool indifference. Amongst the party was a woman who was additionally disfigured by one of those extraordinary lip ornaments; this did not a little augment her froward, shrewish aspect. I offered her a looking-glass with some trinkets, but at the instance of the most savage fellow of the party she contemptuously rejected them. This Indian then arranged his spears, about six or eight in number, and placed them with their points just over the bow of the canoe near where he sat; he also laid near him his bow with some arrows, then put on his war garment, and drew his dagger. Some in the other canoe made similar preparations, either to menace an attack, or, what seemed to us more likely, to convince us they were upon their guard against any violence we might be inclined to offer them.

At this time we were considerably ahead of the other boat, and as it was necessary that we should shortly land on the point from whence the continent takes its N.N.E. direction for the purpose of taking angles we waited for the launch to come up, and during this interval we used our endeavours to gain the confidence and, if possible, to conciliate the good opinion of our visitors. But all was to no effect; they refused to accept any more presents, whilst those who had condescended to receive any made signs that we should go to their place of abode, which we had by this time passed, and frequently made use of the words "*Winnee watter*," signifying to stop and trade, producing at the same time some very indifferent sea otter skins. Recollecting the avidity with which all the inhabitants of these parts enter into commercial intercourse I thought their uncourteous behaviour might have arisen from our backwardness in following the same pursuit, and hoped by offering to trade with them we should be able to obtain their friendship. But neither cloth, iron, copper, nor anything we had was in their opinions sufficient in quantity or equal in quality to the value of their skins, which were, without exception, the worst I had yet seen on the coast. On the launch coming up we pulled towards the shore; they now seemed better pleased, and on landing they offered their skins again for sale, but it was not within our reach to purchase them. Whilst we remained together on shore their behaviour was more civil, and we seemed to part on much better terms than we had met. They remained at the point and we proceeded up the arm. Their absence, however, was not of long duration, as they shortly followed us, waving their skins, and exposing them for sale; and it was not a little extraordinary that they should now exchange their skins and other articles of traffic for the very identical commodities which they had before rejected with so much contempt.

It was not easy to account for the singular appearance and rude behaviour of this tribe, so very different from what we had hitherto experienced. Some amongst us suggested that these people might probably belong to that party on whom Mr. Brown had recently been obliged to fire in this neighbourhood, and at no great distance from our actual station, but it appeared to me far more likely that their resentment had been excited by our perfect indifference to their commodities brought for sale, and our having declined their invitations to the place of their abode. This opinion was soon confirmed by their subsequent conduct; on being now offered blue cloth for their skins they began a song that continued until they came close to us, when I observed that their arms and war garments were all laid aside, and, having disposed of such things as they had for sale, they began to betray a somewhat thievish disposition. I endeavoured to make them sensible of my disapprobation of this conduct, and made signs that they should depart, with which they reluctantly complied.

I did not observe that these people differed from the generality of the North-west Americans, otherwise than in the ferocity of their countenances. Their weapons seemed well adapted to their condition; their spears, about sixteen feet long, were pointed with iron, wrought in several simple forms, amongst which some were barbed. Their bows were well constructed, and their arrows, with which they were plentifully supplied, ap-

peared but rude, and were pointed with bone or iron. Each man was provided with an iron dagger, suspended from his neck in a leather sheath, seemingly intended to be used when in close action. Their war garments were formed of two, three, or more folds of the strongest hides of the land animals they are able to procure. In the centre was a hole sufficient to admit the head and left arm to pass through, the mode of wearing them being over the right shoulder and under the left arm. The left side of the garment is sewed up, but the right side remains open; the body is, however, tolerably well protected, and both arms are left at liberty for action. As a further security, on the part which covers the breast, they sometimes fix on the inside thin laths of wood. The whole is seemingly well contrived, and I doubt not answers the essential purpose of protection against their native weapons.

The weather, though pleasant, was unfortunately cloudy about noon, and prevented any observation being made for the latitude. The same unfavourable circumstance attended us during our excursion to the northward of the vessels. We continued to the N.N.E. without meeting any interruption or break in the shores until about 8 in the evening, when we arrived at a point on the western shore, situated in latitude $55^{\circ} 16'$, longitude $230^{\circ} 8'$. Near this point we rested for the night. From hence the arm took a direction N. 15 W. continuing in general about the same width.

Between us and the opposite shore was a small island nearly in mid-channel.

Sunday,
28th July

The weather being fair and pleasant we started early the next morning, Sunday the 28th, continuing our researches up this branch. At noon the observed latitude on the eastern shore was $55^{\circ} 25'$, longitude $230^{\circ} 5'$, from hence it took a more northerly direction, and then trended a little to the eastward of north, where by 10 in the forenoon of Monday the 29th it was found to terminate in low marshy land in latitude $55^{\circ} 45'$, longitude $230^{\circ} 6'$. The shores of this inlet were nearly straight, and in general little more than a mile asunder, composed mostly of high rocky cliffs covered with pine trees to a considerable height; but the more interior country was a compact body of high barren mountains covered with snow. As we pursued this branch salmon in great plenty were leaping in all directions. Seals and sea otters were also seen in great numbers, even where the water was nearly fresh, and which was the case upwards of twenty miles from its termination.

Monday,
29th July

Mortified with having devoted so much time to so little purpose we made the best of our way back. At noon I observed the latitude to be $55^{\circ} 42'$, from whence to our reaching the western shore, near where we had entered this branch, occupied our time till late in the evening of Tuesday the 30th, when we brought to in a small cove behind an island about half a league from us, and not far from the place where we had met the ungracious natives on the preceding Saturday.

Tuesday,
30th July

Wednesday,
31st July

The night was mild and pleasant, but a thick fog in the morning of Wednesday the 31st not only obscured the surrounding shores, but prevented our departure until 8 o'clock, when on its dispersing we directed our examination along the western or continental shore to the S.S.W. in a continuation of the branch we had seen on the morning of the 27th. The shores of both sides were straight, compact, of moderate height, and in general little more than a mile asunder. At noon the observed latitude on the western shore was $54^{\circ} 55\frac{1}{2}'$, longitude $229^{\circ} 47'$; the inlet still continuing in the same direction. On the western shore, about half a league to the southward of this station, we entered a small opening not more than a cable's length in width stretching to the northward; up this we had made a little progress, when the launch, which had preceded us and had reached its extremity, was met on her return. Mr. Swaine informed me that its termination was about a league from its entrance, and that its width was from a quarter to half a league.

We stopped for the purpose of dining, and were visited by a canoe, in which were three persons; they approached us with little hesitation, and seemed well pleased at receiving a few trivial presents. They earnestly solicited our return to the head of this little arm, where it appeared their chief resided, and who had abundance of furs to barter for our commodities; but as it was out of our way we declined their proposal, at which they seemed hurt and disappointed, but retired in perfect good humour.

After dinner we attempted to return by the way we had come, but on approaching the entrance the rapidity of the flood tide prevented our advancing against it until near high water, about 6 in the evening. Many of the small trees at the place where we had dined had been cut down with an axe, an implement not yet in use with these people, who on all such occasions prefer any kind of chisel. The trees appeared to have been felled for the purpose of gaining convenient access to the run of water hard by, and this gave rise to an opinion that our dining place had lately been the resort of other civilized people.

Having again reached the arm leading to the S.S.W. we proceeded in that direction, and passed two small rocky islets about a mile to the south of the last-mentioned small arm. Finding the main channel now regularly decreasing to half a mile in width, and having a strong southerly breeze, we did not proceed more than three miles before we rested for the night. The narrowness of the channel and the appearance of its termination before us would have induced me to have relinquished all thoughts of a communication with the ocean by this route had it not been for the indications presented by the shores on either side. These gradually decreasing in height, with a very uneven surface, were entirely covered with pine trees, and as such appearances had, in most instances, been found to attend the broken parts of the country immediately along the sea coast I was encouraged to persevere in this pursuit.

We had not been long landed before the natives who had visited us at dinner time made their appearance again, accompanied by a large canoe, in which was the chief of their party.

I directed them to land at a small distance from our boats, with which they readily complied. The chief received some presents, and in return gave me two or three sea otters' tails. This intercourse seemed, by our signs and such words as we had picked up, to be an assurance of a good understanding between us, and on a promise of entering further into trade the next morning they retired to a small cove about half a mile from us, with every appearance of being perfectly satisfied, but about an hour afterwards one of their canoes was seen paddling towards us. On this a pistol was fired in the air, which had the good effect of showing that we were upon our guard, and prevented their giving us any further disturbance.

As soon as it was daylight in the morning of Thursday, the 1st of August, these people, accompanied by another canoe, were with us according to appointment the preceding evening. They offered for sale the skins of the sea otter, and a large black bear that seemed to have been killed by a spear in the course of the night. I was not backward in complying with our part of the agreement; but, like those whom we had seen on Saturday, these rejected every article we had with us for the purpose of barter; and, excepting firearms and ammunition, which were not offered to them, we did not discover on what their inclinations were placed. They followed us, however, 40 miles, persisting in desiring we would "Winnee Watter," until at length finding no other articles were tendered them than those they had before declined they retired, exclaiming "Pusee" and "Peshack," which could not be misunderstood as terms of disapprobation.

Thursday.
1st August.

This party, including one woman with a lip ornament, consisted of 16 or 18 persons, who in character, much resembled (though I think they were not quite so ferocious) those we had seen the preceding Saturday. This woman, as well as the other we had seen on the 27th, steered the canoe. She appeared to be a most excessive scold and to possess great authority. She had much to say respecting the whole of their transactions, and exacted the most ready obedience to her commands, which were given in a very surly manner, particularly in one instance to a man in the bow of the canoe, who, in compliance to her directions, immediately made a different disposition of the spears. These had all lain on one side of him, just pointed over the bow of the canoe, with several things lying carelessly over them, but on his receiving her commands the outer ends were projected further, their inner ends cleared of the lumber that was over them, and the whole, amounting to about a dozen, were equally divided and regularly laid on each side of him.

From the place at which we had slept this channel took a direction S. 42 W. about a league and a half to a point in latitude $54^{\circ} 48'$, longitude $229^{\circ} 39\frac{1}{2}'$, from whence the continental shore takes a direction N. 25 W. about a league through a narrow channel not a fourth of a mile in breadth, having in it several islets and rocks. In order to make sure of keeping the continental shore on board, we pursued this and left the south-westerly channel whose width had increased to about a mile, and whose shores appeared to be much broken, as if admitting several passages to the sea. At the north end of this narrow channel we came to a larger one extending N. 35 E. and S. 35 W. The former first attracted our notice; this by noon was found to end in latitude $54^{\circ} 55\frac{1}{2}'$, longitude $229^{\circ} 40'$, not in low marshy land, as had been generally the case in the interior parts of our survey, but by low, though steep, rocky shores, forming many little bays and coves abounding with rocks and rocky islets. Here were seen an immense number of sea otters, and amongst them some few seals, but more of the former than I had yet noticed. Having dined we pursued the examination of the continent in a south-westerly direction, which brought us by the evening to its end in that direction in latitude $54^{\circ} 48\frac{1}{2}'$, longitude $229^{\circ} 31\frac{1}{2}'$, from hence the channel extended to the S.S.E. and met that which we had

quitted in the morning, making the land which formed the western shore and that before us to the eastward an island about ten miles in circuit. The shores, that had been nearly straight and compact since we had quitted the rocky arm above mentioned, became again indented with bays and coves, bounded by many rocks and rocky islets.

In examining these broken parts of the shore, the launch had preceded the yawl whilst I was taking the necessary angles. On our turning sharp round a point I discovered her endeavouring, as I supposed, to pass a most tremendous fall of water; the evening at this time was nearly closing in, and being now about high tide the fall appeared to be adverse to their proceeding, but finding they continued to advance I hailed and waved them to desist. On our meeting I found they had possessed but sufficient strength and time to extricate themselves from a very alarming situation. The direction of the fall was in a contrary line to what they had expected, as the water was rushing with great impetuosity through a narrow rocky channel, and falling into a basin whose surface appeared to be greatly beneath the level of the channel we were navigating; on their perceiving this their utmost exertions were required for a short time to prevent the boat from being drawn within its vortical influence. About a mile from the above point nearly in a south direction we brought to for the night.

Friday,
2nd August.

In the morning of Friday the 2nd we set out early, and passed through a labyrinth of small islets and rocks along the continental shore; this, taking now a winding course to the south-west and west, showed the south-eastern side of the channel to be much broken, through which was a passage leading S.S.E. towards the ocean. We passed this in the hope of finding a more northern and westerly communication, in which we were not disappointed, as the channel we were then pursuing was soon found to communicate also with the sea, making the land to the south of us one or more islands. From the north-west point of this land, situated in latitude $54^{\circ} 45' 4''$, longitude $229^{\circ} 28'$, the Pacific was evidently seen between N. 88° W. and S. 81° W. Off the point, at a little distance from the mainland, was an island about half a mile from us; the opposite or continental shore lying north-east, not quite half a mile distant. Between this and the westernmost land in sight the shores appeared to be much divided, with small rocky islets and breakers in most directions.

* * * * *

*The outermost lies nearly south-east about two miles and a half from the point seen the former morning, and stated to be the north point of the passage leading towards the ocean.

No. 36.

VANCOUVER'S VOYAGES.

EXTRACT FROM 8vo EDITION, 1801.†

Vol. IV., Chap. V., p. 191.

16th August. In the forenoon we reached that arm of the sea, whose examination had occupied our time from the 27th of the preceding to the 2nd of this month. The distance from its entrance to its source is about 70 miles; which, in honour of the noble family of Bentinck, I named Portland's Channel.‡

No. 37.

VANCOUVER'S VOYAGES.

EXTRACT, 8vo EDITION, 1801.§

Vol. IV., Chap. V., page 198.

16th August. Nothing of any note having occurred during my absence I shall conclude this chapter by the insertion of the astronomical and nautical observations made at this place; and, in consequence of our having been so fortunate as to be able to obtain those that were

* P. 149 of 8vo edition; p. 346 of 4to edition.

† In 4to Edition, 1798, this is called Portland's Canal.

‡ See also 4to Edition, 1798, p. 371.

§ See also 4to Edition, 1798, p. 375.

essential for correcting our former survey, and for our future regulation in that respect, this branch obtained the name of Observatory Inlet; and the cove, where the vessels were stationed, that of Salmon Cove, from the abundance of that kind of fish that were there taken.

No. 38.

VANCOUVER'S VOYAGES.

EXTRACT, 8vo EDITION, 1801.*

Vol. IV., Chap. VI., p. 204.

A want of wind, and the flood tide, prevented our weighing until 9 the following morning, Monday the 19th, when, with the ebb tide, we again proceeded, but did not reach the entrance of Observatory Inlet until 2 o'clock in the morning of Tuesday the 20th, a distance of not more than 13 leagues from Salmon Cove. 19th August.
20th August.

The west point of Observatory Inlet I distinguished by calling it Point Wales, after my much esteemed friend Mr. Wales, of Christ's Hospital, to whose kind instruction, in the early part of my life, I am indebted for that information which has enabled me to traverse and delineate these lonely regions.

No. 39.

VANCOUVER'S VOYAGES.

EXTRACT, 8vo EDITION, 1801.†

Vol. IV., Chap. VII., page 273.

Its‡ western shore is an extensive tract of land, which (though not visibly so to us) I have reason to believe is much broken and divided by water, forming as it were a distinct body in the great archipelago. This I have honoured with the name of the Prince of Wales's Archipelago; and the adjacent continent, to the northward from Gardner's Channel§ to Point Rothsay, the extent of our survey to the north this season, I have distinguished with that of New Cornwall.

No. 40.

CONVENTION between the UNITED STATES and RUSSIA, relative to the PACIFIC OCEAN and the NORTH-WESTERN COAST of AMERICA, signed at St. Petersburg ⁵/₁₇ April 1824.

In the Name of the Most Holy and Indivisible Trinity.

The President of the United States of America, and His Majesty the Emperor of all the Russias, wishing to cement the bonds of amity which unite them, and to secure between them the invariable maintenance of a perfect concord, by means of the present Convention, have named, as their Plenipotentiaries to this effect, to wit: the President of the United States of America, Henry Middleton, a citizen of said States, and their Envoy Extraordinary and Minister Plenipotentiary near His Imperial Majesty: and His Majesty the Emperor of all the Russias, his beloved and faithful Charles Robert Count of Nesselrode, Actual Privy Counsellor, member of the Council of State, Secretary of State directing the administration of foreign affairs, Actual Chamberlain, Knight of the Order of St. Alexander Newsky, Grand Cross of the Order of St. Vladimir of the First Class, Knight of that of the White Eagle of Poland, Grand Cross of the Order of St. Stephen of Hungary, Knight of the Orders of the Holy Ghost and of St. Michael, and

* See also 4to Edition, 1798, p. 379.

‡ Duke of Clarence's Strait.

† See also 4to Edition, 1798, p. 419.

§ Canal, in 4to Edition, 1798.

Grand Cross of the Legion of Honour of France, Knight Grand Cross of the Orders of the Black and of the Red Eagle of Prussia, of the Annunciation of Sardinia, of Charles III. of Spain, of St. Ferdinand and of Merit of Naples, of the Elephant of Denmark, of the Polar Star of Sweden, of the Crown of Wirtemberg, of the Guelphs of Hanover, of the Belgic Lion, of Fidelity of Baden, and of St. Constantine of Parma: and Pierre de Politica, Actual Counsellor of State, Knight of the Order of St. Anne of the First Class, and Grand Cross of the Order of St. Wladimir of the Second: who, after having exchanged their full powers, found in good and due form, have agreed upon and signed the following stipulations:

I. It is agreed, that in any part of the Great Ocean, commonly called the Pacific Ocean, or South Sea, the respective citizens or subjects of the high contracting powers shall be neither disturbed nor restrained, either in navigation or in fishing, or in the power of resorting to the coasts, upon points which may not already have been occupied, for the purpose of trading with the natives; saving always the restrictions and conditions determined by the following articles.

II. With the view of preventing the rights of navigation and of fishing exercised upon the great ocean by the citizens and subjects of the high contracting powers, from becoming the pretext for an illicit trade, it is agreed that the citizens of the United States shall not resort to any point where there is a Russian establishment, without the permission of the governor or commander; and that, reciprocally, the subjects of Russia shall not resort, without permission, to any establishment of the United States upon the north-west coast.

III. It is moreover agreed that, hereafter, there shall not be formed by the citizens of the United States, or under the authority of the said States, any establishment upon the North-west Coast of America, nor in any of the islands adjacent, to the north of fifty-four degrees and forty minutes of north latitude; and that, in the same manner, there shall be none formed by Russian subjects, or under the authority of Russia, south of the same parallel.

IV. It is, nevertheless, understood, that, during a term of ten years, counting from the signature of the present Convention, the ships of both powers, or which belong to their citizens or subjects, respectively, may reciprocally frequent, without any hindrance whatever, the interior seas, gulfs, harbours, and creeks, upon the coast mentioned in the preceding article, for the purpose of fishing and trading with the natives of the country.

V. All spirituous liquors, fire-arms, other arms, powder, and munitions of war of every kind, are always excepted from this same commerce permitted by the preceding article; and the two powers engage reciprocally, neither to sell, or suffer them to be sold to the natives by their respective citizens and subjects, nor by any person who may be under their authority. It is likewise stipulated, that this restriction shall never afford a pretext, nor be advanced, in any case, to authorise either search or detention of the vessels, seizure of the merchandise, or, in fine, any measures of constraint whatever towards the merchants or the crews who may carry on this commerce; the high contracting powers reciprocally reserving to themselves to determine upon the penalties to be incurred, and to inflict the punishment in case of the contravention of this article, by their respective citizens or subjects.

VI. When this convention shall have been duly ratified by the President of the United States, with the advice and consent of the Senate on the one part, and on the other by His Majesty the Emperor of all the Russias, the ratifications shall be exchanged at Washington in the space of ten months from the date below, or sooner, if possible. In faith whereof the respective Plenipotentiaries have signed this convention, and thereto affixed the seals of their arms.

Done at St. Petersburg, the 17/5 April of the year of Grace 1824.

HENRY MIDDLETON.

LE COMTE CHARLES DE NESSELRODE.

PIERRE DE POLETICA.

CONVENTION between GREAT BRITAIN and RUSSIA, signed at St. Petersburg,
February ²⁸/₁₆ 1825.

(Presented to Parliament, May 16, 1825.)

In the name of the Most Holy and Undivided Trinity.
(Translation.)

His Majesty the King of the United Kingdom of Great Britain and Ireland, and His Majesty the Emperor of all the Russias, being desirous of drawing still closer the ties of good understanding and friendship which unite them, by means of an agreement which may settle, upon the basis of reciprocal convenience, different points connected with the commerce, navigation, and fisheries of their subjects on the Pacific Ocean, as well as the limits of their respective possessions on the North-west Coast of America, have named Plenipotentiaries to conclude a Convention for this purpose, that is to say:—His Majesty the King of the United Kingdom of Great Britain and Ireland, the Right Honourable Stratford Canning, a member of His said Majesty's Most Honourable Privy Council, &c. And His Majesty the Emperor of all the Russias, the Sieur Charles Robert Count de Nesselrode, His Imperial Majesty's Privy Councillor, a member of the Council of the Empire, Secretary of State for the Department of Foreign Affairs, &c., and the Sieur Pierre de Poletica, His Imperial Majesty's Councillor of State, &c. Who, after having communicated to each other their respective full powers, found in good and due form, have agreed upon and signed the following Articles:—

I. It is agreed that the respective subjects of the high contracting parties shall not be troubled or molested, in any part of the ocean, commonly called the Pacific Ocean, either in navigating the same, in fishing therein, or in landing at such parts of the coast as shall not have been already occupied, in order to trade with the natives, under the restrictions and conditions specified in the following Articles.

II. In order to prevent the right of navigating and fishing exercised upon the ocean by the subjects of the high contracting parties, from becoming the pretext for an illicit commerce, it is agreed that the subjects of His Britannick Majesty shall not land at any place where they may be a Russian establishment without the permission of the Governor or Commandant; and, on the other hand, that Russian subjects shall not land without permission at

Au nom de la Très Sainte et Indivisible Trinité.

Sa Majesté le Roi du Royaume Uni de la Grande Bretagne et de l'Irlande, et Sa Majesté l'Empereur de toutes les Russies, désirant resserrer les liens de bonne intelligence et d'amitié qui les unissent, au moyen d'un accord qui régleroit, d'après le principe des convenances réciproques, divers points relatifs au commerce, à la navigation, et aux pêcheries de leurs sujets sur l'Océan Pacifique, ainsi que les limites de leurs possessions respectives sur la Côte Nord-ouest de l'Amérique, ont nommé des Plénipotentiaires pour conclure une Convention à cet effet, savoir:—Sa Majesté le Roi du Royaume Uni de la Grande Bretagne et de l'Irlande, le Très Honorable Stratford Canning, Conseiller de Sa dite Majesté en Son Conseil Privé, &c. Et Sa Majesté l'Empereur de toutes les Russies, le Sieur Charles Robert Comte de Nesselrode, Son Conseiller Privé actuel, membre du Conseil de l'Empire, Secrétaire d'Etat dirigeant le Ministère des Affaires Etrangères, &c.; et le Sieur Pierre de Poletica, Son Conseiller d'Etat actuel, &c. Lesquels Plénipotentiaires, après s'être communiqué leurs Plein-pouvoirs respectifs, trouvés en bonne et due forme, ont arrêté et signé les Articles suivans:—

I. Il est convenu que dans aucune partie du Grand Océan, appelé communément Océan Pacifique, les sujets respectifs des Hautes Puissances contractantes ne seront ni troublés ni gênés soit dans la navigation, soit dans l'exploitation de la pêche, soit dans la faculté d'aborder aux côtes sur des points qui ne seraient pas déjà occupés, afin d'y faire le commerce avec les Indigènes, sauf toutefois les restrictions et conditions déterminées par les Articles qui suivent.

II. Dans la vûe d'empêcher que les droits de navigation et de pêche exercés sur le grand océan par les sujets des Hautes Parties contractantes, ne deviennent le prétexte d'un commerce illicite, il est convenu que les sujets de Sa Majesté Britannique n'aborderont à aucun point où il se trouve un établissement Russe, sans la permission du Gouverneur ou Commandant; et que réciproquement, les sujets Russes ne pourront aborder sans permission, à aucun

any British establishment on the North-west Coast.

III. The line of demarcation between the possessions of the high contracting parties upon the coast of the continent and the islands of America to the north-west, shall be drawn in the manner following:—

Commencing from the southernmost point of the island called Prince of Wales Island, which point lies in the parallel of 54 degrees 40 minutes north latitude, and between the 131st and the 133d degree of west longitude (meridian of Greenwich), the said line shall ascend to the north along the channel called Portland Channel, as far as the point of the continent where it strikes the 56th degree of north latitude; from this last-mentioned point, the line of demarcation shall follow the summit of the mountains situated parallel to the coast, as far as the point of intersection of the 141st degree of west longitude (of the same meridian); and, finally, from the said point of intersection, the said meridian line of the 141st degree, in its prolongation as far as the frozen ocean, shall form the limit between the Russian and British possessions on the Continent of America to the north-west.

IV. With reference to the line of demarcation laid down in the preceding Article, it is understood;

1st. That the island called Prince of Wales Island shall belong wholly to Russia.

2nd. That wherever the summit of the mountains which extend in a direction parallel to the coast, from the 56th degree of north latitude to the point of intersection of the 141st degree of west longitude, shall prove to be at the distance of more than ten marine leagues from the ocean, the limit between the British possessions and the line of coast which is to belong to Russia, as above mentioned, shall be formed by a line parallel to the windings of the coast, and which shall never exceed the distance of ten marine leagues therefrom.

V. It is moreover agreed that no establishment shall be formed by either of the two parties within the limits assigned by the two preceding Articles to the possessions of the other; consequently British subjects shall not form any establishment either upon the coast or upon the border of the continent comprised within the limits of the Russian possessions, as designated in the two preceding Articles; and, in like manner, no establishment shall be formed by Russian subjects beyond the said limits.

VI. It is understood that the subjects of His Britannick Majesty, from whatever quarter they may arrive, whether from the ocean or from the interior of the continent,

établissement Britannique sur la côte Nord-ouest.

III. La ligne de démarcation entre les possessions des Hautes Parties contractantes, sur la côte du Continent et les îles de l'Amérique Nord-Ouest, sera tracée ainsi qu'il suit:—

A partir du point le plus méridional l'île dite *Prince of Wales*, lequel point se trouve sous la parallèle du 54^{me} degré, 40 minutes de latitude Nord, et entre le 131^{me} et le 133^{me} degré de longitude Ouest (méridien de Greenwich) la dite ligne remontera au nord le long de la passe dite *Portland Channel* jusqu'au point de la terre ferme où elle atteint le 56^{me} degré de latitude Nord; de ce dernier point la ligne de démarcation suivra la crête des montagnes situées parallèlement à la côte, jusqu'au point d'intersection du 141^{me} degré de longitude Ouest (même méridien) et finalement, du dit point d'intersection, la même ligne méridienne du 141^{me} degré formera dans son prolongement jusqu'à la mer Glaciale, la limite entre les possessions Russes et Britanniques sur le Continent de l'Amérique Nord-Ouest.

IV. Il est entendu, par rapport à la ligne de démarcation déterminée dans l'Article précédent;

1. que l'île dite *Prince of Wales* appartiendra toute entière à la Russie.

2. que partout où la crête des montagnes qui s'étendent dans une direction parallèle à la côte depuis le 56^{me} degré de latitude nord au point d'intersection du 141^{me} degré de longitude ouest, se trouveroit à la distance de plus de dix lieues marines de l'océan, la limite entre les possessions Britanniques et la lisière de côte mentionnée ci-dessus, comme devant appartenir à la Russie, sera formée par une ligne parallèle aux sinuosités de la côte et qui ne pourra jamais en être éloignée que de dix lieues marines.

V. Il est convenu en outre, que nul établissement ne sera formé par l'une des deux parties dans les limites que les deux Articles précédents assignent aux possessions de l'autre. En conséquence les sujets Britanniques ne formeront aucun établissement soit sur la côte, soit sur la lisière de terre ferme comprise dans les limites des possessions Russes, telles qu'elles sont désignées dans les deux Articles précédents; et de même nul établissement ne sera formé par des sujets Russes au delà des dites limites.

VI. Il est entendu que les sujets de Sa Majesté Britannique, de quelque côté qu'ils arrivent, soit de l'Océan soit de l'intérieur du Continent, jouiront à perpétuité du droit

shall for ever enjoy the right of navigating freely, and without any hindrance whatever, all the rivers and streams which, in their course towards the Pacific Ocean, may cross the line of demarcation upon the line of coast described in Article 3 of the present Convention.

VII. It is also understood that, for the space of ten years from the signature of the present Convention, the vessels of the two powers, or those belonging to their respective subjects, shall mutually be at liberty to frequent, without any hindrance whatever, all the inland seas, the gulfs, havens, and creeks on the coast mentioned in Article 3, for the purposes of fishing and of trading with the natives.

VIII. The port of Sitka, or Novo Archangelsk, shall be open to the commerce and vessels of British subjects for the space of ten years from the date of the exchange of the ratifications of the present Convention. In the event of an extension of this term of ten years being granted to any other power, the like extension shall be granted also to Great Britain.

IX. The above-mentioned liberty of commerce shall not apply to the trade in spirituous liquors, in firearms or other arms, gunpowder or other warlike stores; the high contracting parties reciprocally engaging not to permit the above-mentioned articles to be sold or delivered, in any manner whatever, to the natives of the country.

X. Every British or Russian vessel navigating the Pacific Ocean, which may be compelled by storms or by accident to take shelter in the ports of the respective parties, shall be at liberty to refit therein, to provide itself with all necessary stores, and to put to sea again, without paying any other than port and lighthouse dues, which shall be the same as those paid by national vessels. In case, however, the master of such vessel should be under the necessity of disposing of a part of his merchandise in order to defray his expenses, he shall conform himself to the regulations and tariffs of the place where he may have landed.

XI. In every case of complaint on account of the infraction of the Articles of the present Convention the civil and military authorities of the high contracting parties, without previously acting or taking any forcible measure, shall make an exact and circumstantial report of the matter to their respective Courts, who engage to settle the same in a friendly manner and according to the principles of justice.

XII. The present Convention shall be ratified, and the ratifications shall be ex-

de naviguer librement et sans entrave quelconque sur tous les fleuves et rivières qui dans leurs cours vers la mer Pacifique, traverseront la ligne de démarcation sur la lisière de la côte indiquée dans l'Article 3 de la présente Convention.

VII. Il est aussi entendu que pendant l'espace de dix ans à dater de la signature de cette Convention, les vaisseaux des deux Puissances ou ceux appartenans à leurs sujets respectifs, pourront réciproquement fréquenter, sans entrave quelconque, toutes les mers intérieures, les golfes, havres, et criques sur la côte mentionnée dans l'Article 3, afin d'y faire la pêche et le commerce avec les indigènes.

VIII. Le port de Sitka, ou Novo Archangelsk, sera ouvert au commerce et aux vaisseaux des sujets Britanniques durant l'espace de dix ans, à dater de l'échange des ratifications de cette Convention. Au cas qu'une prolongation de ce terme de dix ans soit accordée à quelque autre Puissance, la même prolongation sera également accordée à la Grande Bretagne.

IX. La susdite liberté de commerce ne s'appliquera point au trafic des liqueurs spiritueuses, des armes à feu, des armes blanches, de la poudre à canon, ou d'autres munitions de guerre; les Hautes Parties contractantes s'engageant réciproquement à ne laisser ni vendre, ni livrer, de quelque manière que se puisse être, aux indigènes du pays, les articles ci-dessus mentionnés.

X. Tout vaisseau Britannique ou Russe naviguant sur l'Océan Pacifique, qui sera forcé par des tempêtes, ou par quelque accident, de se réfugier dans les ports des parties respectives, aura la liberté de s'y radouber, de s'y pourvoir de tous les objets qui lui seront nécessaires, et de se remettre en mer, sans payer d'autres droits que ceux de port et de fanaux, lesquels seront pour lui les mêmes que pour les bâtimens nationaux. Si, cependant, le patron d'un tel navire se trouvoit dans la nécessité de se défaire d'une partie de ses marchandises pour subvenir à ses dépenses, il sera tenu de se conformer aux ordonnances et aux tarifs de l'endroit où il aura abordé.

XI. Dans tous les cas de plaintes relatives à l'infraction des Articles de la présente Convention, les autorités civiles et militaires des deux hautes parties contractantes, sans se permettre au préalable ni voie de fait, ni mesure de force, seront tenues de faire un rapport exact de l'affaire et de ses circonstances à leurs Cours respectives, lesquelles s'engagent à la régler à l'amiable, et d'après les principes d'une parfaite justice.

XII. La présente Convention sera ratifiée, et les ratifications en seront échangées à

changed at London within the space of six weeks, or sooner if possible.

In witness whereof the respective plenipotentiaries have signed the same and have affixed thereto the seal of their arms.

Done at St. Petersburg, the ^{twenty-eighth}_{sixteenth} day of February, in the year of our Lord one thousand eight hundred and twenty-five.

(L.S.) STRATFORD CANNING.
(L.S.) THE COUNT DE NESSELRODE.
(L.S.) PIERRE DE POLETICA.

Londres dans l'espace de six semaines, ou plutôt si faire se peut.

En foi de quoi les plenipotentiaries respectifs l'ont signée, et y ont apposé le cachet de leurs armes.

Fait à St. Pétersbourg, le ^{vingt-huit}_{seize} Février, de l'an de Grâce mil huit cent vingt-cinq.

(L.S.) STRATFORD CANNING.
(L.S.) LE COMTE DE NESSELRODE.
(L.S.) PIERRE DE POLETICA.

NOTE.—The ratifications were exchanged by the Right Hon. George Canning and Count de Lieveu in London on 9th April 1825.

No. 42.

MR. PHELPS to the MARQUIS OF SALISBURY. (Received January 20.)

Legation of the United States, London,
January 19, 1886.

MY LORD,

REFERRING to the conversation held with your Lordship on the 12th instant, relative to the boundary between the British possessions in North America and the territory of Alaska, I have the honour to transmit herewith a copy of the statement of the facts contained in the instructions sent me by my Government, together with copies of the maps therein referred to.

I think your Lordship will find in these documents the confirmation of the statements I made in the conversation above mentioned.

In the treaty between the United States and the Emperor of Russia, of the 30th March 1867, whereby the territory of Alaska was ceded to the United States, the eastern boundary of that territory, which divides it from the North American possessions of Her Majesty, is designated by embodying in the treaty, in terms, the language of Articles III. and IV. of the Convention between Great Britain and Russia, of the 28th February 1825, whereby that boundary is established.

Those Articles are as follows :—

“ Commencing from the southernmost point of the island called Prince of Wales' Island, which point lies in the parallel of 54° 40' north latitude, and between the 131st degree and the 133rd degree of west longitude (meridian of Greenwich), the said line shall ascend to the north along the channel called Portland Channel, as far as the point of the continent where it strikes the 56th degree of north latitude; from this last-mentioned point, the line of demarcation shall follow the summit of the mountains situated parallel to the coast as far as the point of intersection of the 141st degree of west longitude (of the same meridian), and finally, from the said point of intersection, the said meridian line of the 141st degree, in its prolongation as far as the Frozen Ocean.

“ IV. With reference to the line of demarcation laid down in the preceding Article, it is understood :—

“ 1. That the island called Prince of Wales' Island shall belong wholly to Russia” (now, by this cession, to the United States).

“ 2. That whenever the summit of the mountains which extend in a direction parallel to the coast from the 56th degree of north latitude to the point of intersection of the 141st degree of west longitude shall prove to be at the distance of more than 10 marine leagues from the ocean, the limit between the British possessions and the line of coast which is to belong to Russia as above mentioned (that is to say, the limit to the possessions ceded by this convention) shall be formed by a line parallel to the winding of the coast, and which shall never exceed the distance of 10 marine leagues therefrom.”

The boundary thus indicated has no apparent ambiguity. But it was established and described when the region through which it runs was entirely unexplored. It was doubtless agreed upon in view of the map known as Vancouver's map, then almost the only one available, which shows a range of mountains apparently continuous and sharply defined, running parallel with the coast about 10 marine leagues inland, from the 56th degree of north latitude to their intersection with the 141st degree of west longitude, and forming a natural and plainly obvious permanent boundary. And probably the mountains, as seen from the sea, present that appearance to the eye.

But recent explorations since the country has begun to be occupied, show that no such boundary as that described in these treaties exists within the limits above mentioned, or is capable of being determined. And that the monuments by which it is indicated in the treaties tend only to confusion and uncertainty.

Instead of a continuous range of mountains along the summit of which a tangible and reasonably direct line can be run, the whole region proves to be broken into a sea of mountains, with spurs running in various directions, covering laterally a very wide surface.

By no criterion, either of height, direction, or continuity, can a line be laid down that could be regarded as "following the summit of the mountains," and any approximation that should be attempted, to the line prescribed in the treaties, would be no nearer than various other approximations that might be made, and which would be widely different from each other.

The only other indication of this part of the boundary contained in the treaties, the limit of 10 marine leagues from the ocean, equally fails of practicable location. The coast proves upon survey to be so extremely irregular and indented, with such and so many projections and inlets, that it is not possible, except at immense expense of time and money, to run a line that shall be parallel with it, and if such a line should be surveyed it would be so confused, irregular, and inconsistent that it would be impossible of practical recognition, and would differ most materially from the clear and substantially straight line contemplated in the treaties.

The result of the whole matter is, that these treaties, which were intended and understood to establish a proper boundary, easy to observe and be maintained, really give no boundary at all so far as this portion of the territory is concerned.

A further difficulty is disclosed by the recent surveys in respect to this line. It is found that Portland Channel does not extend so far north as the 56th degree of north latitude. This, however, can probably be easily rectified upon proper survey by extending the general line of Portland Channel some four or five miles further to the north.

Under these circumstances I am instructed by my Government to propose, through your Lordship, to Her Majesty's Government, that a commission be agreed on by the Governments of the United States and of Her Majesty, to be composed of commissioners to be appointed by each, who shall, under such instructions and conditions as may be mutually concurred in and upon such surveys and examinations as may be found necessary and practicable, either designate and establish the boundary line in question or report to the respective Governments such facts, data, and recommendations as may afford a basis for its establishment by Convention between them.

In addition to the statement of facts above mentioned, I have the honour to send herewith copies of the maps therein referred to. The book called "United States' Pacific Coast Pilot" I must ask your Lordship to have the kindness to return at your convenience, as I have no other copy. But should you desire it, I shall be happy to send to the United States for a copy for the use of Her Majesty's Government. And I shall be much obliged if your Lordship will cause copies to be sent me of the British and Canadian official maps mentioned in the statement.

In the conversation with your Lordship before alluded to, reference was made to the time within which my Government must apply to Congress for the appropriation necessary for the expenses of the Commission on its part if sent out this year. I have since informed myself on that point by telegraphic communication with the Department of State, and learn that if an agreement should be reached between the Governments by the 1st April, the appropriation can probably be obtained.

I venture to suggest, however, in view of the reasons which will readily occur to your Lordship, for as early an adjustment of this boundary as may be found practicable; that as such an expedition can only make progress in the summer, and as some time must necessarily be occupied in its appointment, outfit, and arrangements, it will doubtless

be for the mutual interests of the Governments that a decision in regard to it should be made as soon as may be consistent.

I have, &c.
(Signed) E. J. PHELPS.

Enclosures.

1. Statement from Instruction No. 144 of the 20th November 1885 from Mr. Bayard to Mr. Phelps.
2. Vancouver's Chart No. 7 (photographed).
3. United States' Coast Survey Chart of Alaska No. 960, 1884.
4. United States' Coast Survey Chart No. 710, Revilla Gigedo Channel, 1885.
5. "United States' Pacific Coast Pilot," Alaska, Part I., 1883.
6. Treaty between the United States and Russia for the cession of Alaska, 30th March, 1867.

Enclosure 1 in No. 3.

Mr. BAYARD to Mr. PHELPS.

Department of State, Washington,
November 20, 1885.

Sir,

SHORTLY after assuming the duties of this Office, my attention was drawn to the circumstance that the existing boundary line between the territory of Alaska and her Majesty's possession of British Columbia, is not only open to doubt in certain quarters, although not in doubt so far as this Government is concerned, in respect of the water-boundary from Prince of Wales' Island and through the Portland Channel, but that it is, also, with regard to the inland frontier, which is supposed to follow a mountain range, an impracticable one to survey, if not a geographical impossibility.

The territory of Alaska was acquired by the United States from Russia, subject to the existing demarcation of the eastern frontier-line between Russia America and British America, under the Convention between Great Britain and Russia of the 16th (28th) February, 1825, and the description of the line contained in Articles III and IV of that Convention was incorporated literally—as to the English text thereof—in the 1st Article of the Treaty between the United States and Russia concluded on the 30th March, 1867. Copies of the latter Treaty are hereby annexed for your information.

I am not aware that any question concerning the true location of the line so stipulated ever rose at any between Great Britain and Russia prior to the cession of Alaska to the United States. If any such question had arisen, and was pending at the time of the cession, the United States would naturally have succeeded to the Russian interest therein just as to any other right of Russia affecting the ceded territory. This Government, however, had no intimation then, and has had none since, from Her Majesty's Government, that any such question existed. It is not thought likely, however, that question in this regard could have existed, as the inlet, and the country through which the boundary line of 1825 ran, were in 1867 still practically unexplored. The boundary was then, as it is still, a theoretical one, based, as it is fair to be presumed, on the charts which the negotiators had before them in 1825, and which they doubtless assumed to be a substantially correct expression of geographical facts.

It is certain that no question has arisen since 1867 between the Governments of the United States and Great Britain in regard to this boundary.

The ascertainment of the true line of demarcation under the Anglo-Russian Treaty would, however, appear to have been the subject of informal consultation soon after Russian Alaska passed to the United States, but no record of any official correspondence between the two Governments is found.

In his annual message to Congress, December 2, 1872, President Grant, after referring to the then recent settlement of the San Juan Island dispute, said:—

"Experience of the difficulties attending the determination of our admitted line of boundary, after the occupation of the territory and its settlement by those owing allegiance to the respective Governments, points to the importance of establishing, by natural objects or other monuments, the actual line between the territory acquired by purchase from Russia, and the adjoining possessions of Her Britannic Majesty. The region is now so sparsely occupied that no conflicting interests of individuals or of jurisdiction are likely to interfere to the delay or embarrassment of the actual location of the line. If deferred until population shall enter and occupy the territory, some trivial

contest of neighbours may again array the two Governments in antagonism. I therefore recommend the appointment of a Commission, to act jointly with one that may be appointed on the part of Great Britain to determine the line between our territory of Alaska and the coterminous possessions of Great Britain."

An estimate of the probable cost and time of a survey of the Alaskan boundary line on the part of this Government, then made, fixed the cost at about 1,500,000 dollars, and the time required as nine years in the field, and at least one year more for mapping the results; which illustrates the magnitude of the labour.

The suggestion of President Grant was not then acted upon by the Congress, and does not appear to have been since revived before that body. Since that time the condition of increasing settlement apprehended by President Grant has assumed marked proportions. A territorial Government has been organised for Alaska, and enterprise and capital are slowly, but steadily, making their way toward those distant shores.

In the judgment of the President, the time has now come for an understanding between the Government of the United States and that of Her Britannic Majesty, looking to the speedy and certain establishment of the boundary line between Alaska and British Columbia. And this necessity is believed to be the more urgent, inasmuch as the treaty line is found to be of uncertain, if not impossible, location for a great part of its length.

In the first place, the water boundary line, from the southernmost point of Prince of Wales Island to the 56th degree of north latitude, is not found uniformly located on the charts of different modern geographers. On a majority of such charts, as, for example, those of Staff-Commander D. Pender's* Survey for the Admiralty in 1868, and those of the Geological Survey of Canada, recently published, the boundary follows the central line of the main channel, known as Portland Inlet, while in other charts prepared by British geographers, the line deflects to the northward from the broad waters of Dixon Entrance, and passes through a narrow and intricate channel lying north-westward from Portland Inlet, known on the United States' Coast Survey Chart of 1885 as Pearse Channel, until it suddenly deflects southward again at right angles, to re-enter Portland Inlet, thereby appearing to make British territory of Pearse and Wales Islands, and throwing doubt on the nationality of several small islands at the south-western extremity of Wales Island. This latter construction is at the outset in manifest contradiction with the treaties, which provided "that the island called Prince of Wales Island shall belong wholly to Russia" (now, by cession, in 1867, to the United States).

There would seem to be ground, in the text of Vancouver, the original explorer and geographer of the region, for supposing that he at one time regarded Pearse Canal† of later geographers as the lower part of Portland Canal. But there are very evident reasons for believing that this was not the construction intended by the authors of the Anglo-Russian Treaty of 1825, and that their purpose was the location of the natural boundary line in the broader channel called Portland Inlet on the Admiralty and the United States' Coast Survey Charts.

For a clear understanding of the subject, Chart No. 7 of Vancouver's Atlas; the British Admiralty Chart, No. 2,431, corrected to June 1882, or any later edition; the United States' Coast Survey Chart, No. 710, of 1885; and the charts of the Coast Pilot of Alaska, recently issued by the United States' Coast Survey, should be consulted.

Of these, photographic copies of Vancouver's Atlas Chart No. 7, and copies of the Coast Survey publications, are herewith sent you. You can doubtless obtain copies of the British Admiralty Chart by application in the proper quarter.

The language of the treaties is:—

"Commencing from the southernmost point of the island called Prince of Wales' Island, which point lies in the parallel of 54° 40' north latitude, and between the 131st and the 133rd degree of west longitude (meridian of Greenwich), the said line shall ascend to the north along the channel called Portland Channel, as far as the point of the continent where it strikes the 56th degree of north latitude."

So far the treaties relate to the water-boundary, and it is to be remembered, as already remarked, that the line so described was intended to leave Prince of Wales' Island Russian territory in 1825, and a possession of the United States in 1867.

No record has been found in print, or otherwise so far as sought, of the circumstances attending the drawing up of the Anglo-Russian Convention of 1825, which would throw light on the understanding of the negotiators on this point; but it may be assumed with confidence that the charts employed in the negotiation were those of Vancouver. They

* Penders (?).—D.R.C.

† Pearse Canal takes its name from Pearse Island, so called by Captain Pender, R.N., in 1868, after an officer in the United States service.—D. R. C.

were made by a British officer under the direction of the British Government, and would therefore be acceptable as a standard by that party to the Convention. They were the most recent charts then extant, and for half a century they remained the only authentic charts of that region, the Russians having at that time made no original surveys of importance in this district. Moreover, the wording of the Convention of 1825 is found to be in complete accord with the features presented by Vancouver's chart, and especially with Chart No. 7 in the atlas accompanying the narrative of his voyage. The description in the convention seems to be a faithful reproduction of the picture actually present to the eyes of the negotiators in that chart.

The first discrepancy that meets us, is, that neither on Vancouver's nor on any other chart known, does the water-way of Portland Channel strike "the 56th degree of north latitude." On Vancouver's Chart No. 7 it ends in a *cul-de-sac* about 15 miles before the 56th degree is reached. This, however, is of little importance, for, with the better topographical knowledge we now possess, we know that a conventional line, in continuation of the general trend of the mid-channel line, would strike the 56th degree of north latitude at a distance of some 4 or 5 miles inland.

While Portland Channel, Portland Canal, or Portland Inlet, as it is indifferently styled on the several charts, is, and has long been, readily identified as the main passage inland from the southernmost point of Prince of Wales' Island, the intricate and narrow passage separating Pearce Island from the mainland is practically unsurveyed. It does not appear at all on the Pender Admiralty Charts of 1868. In the United States' Coast Survey Charts it is conjecturally marked by dotted lines.

The fact that the parallel of $54^{\circ} 40'$, by the most recent surveys, enters the mouth of Portland Inlet, that the most navigable channel trends thence directly inland in an almost straight line, that Prince of Wales' Island is in terms excluded from British territory, and that the name used in the Anglo-Russian Convention of 1825 is found on all existing maps, possessing authority, applied to Portland Inlet or Channel, and not to Pearce Channel, lend reason and force to the conviction that it was the intention of the negotiators that the boundary line should directly follow the broad and natural channel midway between the shores, and extend, if need were, inland in the same general direction until the range of hills, hereafter to be considered, should be reached (as appears in Vancouver's Chart) at or near the 56th parallel.

It is not, therefore, conceived that this water part of the boundary line can ever be called in question between the two Governments.

There is, however, ample ground for believing that the erroneous premises upon which the negotiators apparently based their fixation of the inland boundary line along the coast render its true determination and demarcation by monuments a matter of doubt and difficulty in carrying it into practical effect, and that, in prevision of the embarrassments which may follow delay in the establishment of a positive frontier line, it is the interest and the duty of the two Governments to reach a good understanding which shall forthwith remove all chance for future disagreement.

The Convention of 1825 continues, from the point where the quotation given above ceases, as follows:—

"From this last-mentioned point" [the intersection of the mid-channel line of Portland Channel with the 56th north parallel] "the line of demarcation shall follow the summit of the mountains situated parallel to the coast as far as the point of intersection of the 141st degree of west longitude (of the same meridian), and, finally, from the said point of intersection the said meridian line of the 141st degree in its prolongation as far as the Frozen Ocean. . . ." Provided, as the Convention proceeds to stipulate in the second paragraph of the following Article IV., "that whenever the summit of the mountains which extend in a direction parallel to the coast, from the 56th degree of north latitude to the point of intersection of the 141st degree of west longitude, shall prove to be at the distance of more than 10 marine leagues from the ocean, the limit between the British possessions and the line of coast which is to belong to Russia as above mentioned (that is to say, the limit to the possessions ceded by this Convention) shall be formed by a line parallel to the winding of the coast, and which shall never exceed the distance of 10 marine leagues therefrom."

Here, again, there is conclusive internal evidence that the negotiators accepted as a fact, and described in words, the picture presented to their eyes by the chart actually spread before them. If we examine Vancouver's charts we find the evident reason for the language employed in the Convention. Vancouver, who to his integrity and zeal as a navigator joined an excellent hydrographic faculty, seems to have been but a poor topographer, and represented an impossibly regular land formation, such as could not well exist, and has not been discovered to exist anywhere on the world's surface. His charts

exhibit, at a moderate distance from the shore, a uniformly serrated and narrow range of mountains, like an enormous caterpillar, extending, with a general parallelism to the shore, from one end of the region in question to the other, except at scattered points, where valleys intervene, which we now know to be the valleys of the Taku, Stikine, and other rivers. The line projected from the mid-channel line of Portland Channel intersects, at about the 56th degree of north latitude, the backbone range in question, and were the features of Vancouver's Chart a correct representation of the topography, no more excellent and convenient boundary could be imagined than that following the depicted serrated ridge. It is not singular that, assuming the chart to be correct, both parties should have agreed to accept this remarkably uniform feature as marking the boundary. The better knowledge of that region now possessed shows that Vancouver's topography is not correct. There is no such range of hills as indicated upon Vancouver's charts, and as assumed by the negotiators of the Convention of 1825. The topography of the region in question has not as yet been accurately charted, but enough is known of its natural features to wholly disprove the conjectural topography of Vancouver.

Professor William H. Dall, whose researches in Alaska are well known, and whose explorations have so largely contributed to our present knowledge of the geographical and geological character of that country, upon being invited by me to report as to the accuracy of Vancouver's charts, writes as follows:—

"We have no good topographical maps of this part of Alaska; but, having been engaged nearly nine years exploring and surveying the territory, I assert, without fear of contradiction, that nothing of the sort" (depicted by Vancouver) "exists. We have, instead, what has been aptly called a 'sea of mountains,' composed of short ranges with endless ramifications, their general trend being parallel with the general curve of North-western America, but, so far as their local parts are concerned, irregular, broken, and tumultuous to the last degree. In certain places, as from Cape Spencer to Yakutat Bay, we have the nearest approach to such a range; but even here there are broad valleys, penetrating an unknown distance, and lateral spurs given off in many directions. These Alps rise conspicuously above their fellows; but to the eastward another peculiarity of the topography is that the hills or summits are nearly uniform in height, without dominating crests and few higher peaks.

"The single continuous range being non-existent, if we attempt to decide on the 'summit' of the mountains we are at once plunged into a sea of uncertainty. Shall we take the ridge of the hill nearest the beaches? This would give us, in many places, a mere strip of territory not more than three miles wide, meandering in every direction. Shall we take the highest summits of the general mass of the coast ranges? Then we must determine the height of many thousands of scattered peaks, after which the question will arise between every pair of equal height and those nearest to them. Shall we skip this way or that, with our zigzag, impossible to survey except at fabulous expense and half a century of labour. These peaks are densely clothed with trees and deep soft moss and thorny underbrush, as impenetrable and luxuriant as the savannas of Panamá.

"In short, the 'summit of the mountains' is wholly impracticable. We may then fall back on the 'line parallel with the windings of the coast.' Let any one, with a pair of drawing compasses, having one leg a pencil point, draw this line on the 'United States' Coast Survey Map of Alaska (No. 960 of 1884). The result is sufficient to condemn it. Such a line could not be surveyed; it crosses itself in many places, and indulges in myriads of knots and tangles. The line actually drawn as the boundary on that map omits the intricacies, and is intended merely as an approximation. It would be subject to almost insuperable difficulties for the surveyor, simplified as it is, and the survey would cost more than the whole territory cost originally. These are the false geographical assumptions on which the language of the treaty was based, and the difficulties they offer when it is proposed to realise, by survey, the verbal boundary."

The words of Mr. Dall are those of a practical man, conversant with the region, and experienced in the class of difficulties in the way of an actual demarcation of the Conventional frontier.

The line traced upon the Coast Survey Map of Alaska, No. 960, of which copies are sent to you herewith is as evidently conjectural and theoretical as was the mountain "summit" line traced by Vancouver. It disregards the mountain topography of the country, and traces a line, on paper, about 30 miles distant from the general contour of the coast. The line is a winding one, with no salient landmarks or points of latitude and longitude to determine its position at any point. It is, in fact, such a line as is next to impossible to survey through a mountainous region; and its actual location there, by a Surveying Commission, would be nearly as much a matter of conjecture as tracing it on paper with a pair of dividers.

If the coast and interior country from Dixon Entrance to Mount St. Elias were already accurately surveyed, its topography charted, and the heights of all its "summits" determined, it would even then be impossible, except by conventional compromise, to locate such a line as the treaties prescribe. To illustrate this, a case nearer home may be supposed. Examine, for instance, an Ordnance Survey Map of Scotland, and attempt to mark out upon it a line which, starting from the "intersection" of the mid-channel line of the Firth of Solway and the 55th parallel, shall thence follow the "summit of the mountains" northward, as far as the 58th parallel, and which, where such "summit" shall be more than "10 marine leagues" from the Atlantic coast, shall follow the "winding" thereof. If the tracing of such a line on paper, when every material fact of contour and altitude is precisely known, were found to offer difficulty, the obstacles to the delimitation of an actual frontier, with landmarks and monuments, through a wholly unexplored country, much more broken than Scotland is, and with a sea-coast scarcely less intricate, could not fail to be many fold greater.

As a rule, a theoretical frontier, based on the assumed contour of mountain chains, is more difficult to determine with accuracy than one following known watercourses or bounded by right lines having geodetic termini.

Rude and inaccessible as is the "sea of mountains" of South-eastern Alaska, and forbidding as it may appear for ordinary purposes of inland settlement, it should be remembered that it is a mineral-bearing region, the geological continuation of the gold and silver belt of California and Nevada, and may at any time spring into an importance not now calculable. It is of evident advantage to both countries to agree upon some boundary line capable of survey at a reasonable cost, or so precisely and practically described that in case of need any given point thereon may be readily determined in advance of a general survey, and to do this while the whole question of local values is in abeyance.

I am, &c.
(Signed) T. F. BAYARD.

*Accompaniments.**

1. Vancouver's Chart, No. 7. (Photographed.)
2. United States' Coast Survey Chart of Alaska, No. 60, 1884.
3. United States' Coast Survey Chart, No. 710, Revilla Gigedo Channel, 1885.
4. "United States' Pacific Coast Pilot," Alaska, Part I., 1883.
5. Treaty between the United States and Russia for the cession of Alaska, March 30, 1867.

Enclosure 2 in No. 3.*

TREATY CONCERNING THE CESSION OF THE RUSSIAN POSSESSIONS IN NORTH AMERICA BY HIS MAJESTY THE EMPEROR OF ALL THE RUSSIAS TO THE UNITED STATES OF AMERICA.

Concluded, March 30, 1867.

Ratified by the United States, May 28, 1867.

Exchanged, June 20, 1867.

Proclaimed by the United States, June 20, 1867.

By the President of the United States of America.

No. 43.

(EXTRACT.)

Hydrographic Department, Admiralty,
March 26, 1886.

REPLIES TO QUESTIONS CONTAINED IN COLONIAL OFFICE LETTER OF 20th March 1886 relating to the BOUNDARY OF ALASKA.

The latitude and longitude—at present adopted on the British charts, of the southern point of Prince of Wales Island (or Archipelago) Cape de Chacon, is latitude 54° 42'

* Accompaniments and enclosures not reprinted.—D.R.C.

N., longitude $131^{\circ} 54' W.$ the latitude being taken from Vancouver's chart published in London, May 1st, 1798; the longitude being that of Vancouver ($131^{\circ} 45' W.$) adapted to the Admiralty charts.

The most recent determination of the latitude and longitude of this point is by the American Coast Survey. A chart* published by the United States Government "Reconnaissance of the Shores of Tlevak and connecting Straits from Cape Muzon to Tlevak narrows,—Alaska,"—issued January 1883, shows that the latitude and longitude were determined, of a position in Long Island—Howkon Village,—which, by Vancouver's chart (based on Spanish authorities, but which still remains as the only source of information we possess) is 48 minutes of longitude west of Cape de Chacon, and $7\frac{1}{2}$ minutes of latitude north. This will give the position of Cape de Chacon as latitude $54^{\circ} 42' 09'' N.$, and longitude $132^{\circ} 2' 12'' W.$

The name, Prince of Wales Island, appeared first on the Admiralty chart entitled Vancouver's Island to Cordova Bay, No. 2430 (published in June 1856), in about the year 1861. The name appears to have been applied from the Russian chart of 1849, and as being synonymous with the Prince of Wales Archipelago of Vancouver.

The name of "Wales Island" appears to have been first applied to the Admiralty chart "Queen Charlotte Island and adjacent coasts,"—on its publication in March 1853; and to have been perpetuated therefrom on other Admiralty charts to the present day. No authority is known for this. In all probability the want of a name for the island at the entrance of this large fiord, by which reference could be made to it, prompted the extension of Vancouver's name for the south point to the whole island. This practice is of daily occurrence in compiling charts in the Hydrographic Office.

The most authentic record of the latitude and longitude of Point Wales (or Wales Point of modern charts), the southern point of Wales Island mentioned in answer 5, is latitude $54^{\circ} 42' 29'' N.$, longitude $130^{\circ} 28' 40'' W.$ It was determined in the Admiralty survey of those parts in 1868, by triangulation from a station at Port Simpson, fixed by astronomical observation.

The name Portland Inlet first appears in the Admiralty chart, "Queen Charlotte Island and adjacent coasts," published in March 1853; and has been perpetuated therefrom on other Admiralty charts to the present day. No authority can be traced for bestowing this name.

This chart was, on the publication of No. 2430 in 1856, removed from the plate in order to insert other plans in its place. No copy has been retained at the Admiralty.

During these operations (*i.e.*, the survey of Portland Canal and Observatory Inlet in 1864) the lower part of Portland Canal, which lies west of the island termed Pearce Island by the surveyors in 1868, was not examined, and is therefore shown as a dotted line, which was also reproduced on the existing plate.

No. 44.

CAPTAIN D. PENDER, R.N., to COLONEL D. R. CAMERON.

(EXTRACT.)

Hydrographic Department, July 8, 1886.

Taking high water on 26th July 1793 at about 2 a.m. (which would agree fairly with the "establishment" of our Survey (H.W., Nasse 1h. 5m., Portland Canal 1h. 30m.)) It would have been H.W. on the 29th at about 4.30 a.m., and consequently low water on that day about 10 a.m. at head of Portland Canal.

That would have been some days after spring tides.

By the Nautical Almanac for 1793 it was full moon on July 22nd.

* See Appendix Map No. 13.

(Extract Dominion of Canada Sessional Papers, 1878. Vol. XI., No. 125.

No. 45.

APPENDIX I.

The proposed strength and pay of the staff of the Commission are as follows:—

STRENGTH AND DISTRIBUTION.

Head-quarters.

1 commissioner.	1 assistant.
1 secretary.	1 veterinary surgeon.
2 clerks.	1 assistant.
2 servants.	1 geologist and botanist.
2 grooms.	1 " assistant.
2 cooks.	4 photographers.
6 boatmen.	4 servants.
1 camp foreman.	4 cooks.
1 Indians.	6 packers.
1 surgeon.	6 boatmen.

NOTE.—The above details were revised after the manuscript from which the Sessional Paper was printed had been submitted.—D. R. C.

(One.

Astronomical Party.

2 officers.	2 servants.
1 computer.	2 cooks.
1 sergeant in charge of work.	4 axemen.
2 chainmen.	1 packmaster.
1 instrument man.	13 packers.
2 front picket men.	7 boatmen.
2 rear " "	1 herder.
1 topographer.	

Two.

(2.) Surveying Parties.

Each.

1 officer.	1 servant.
1 sergeant in charge of work.	2 cooks.
1 compass man.	4 axemen.
1 instrument man.	1 packmaster.
2 chainmen.	11 packers.
2 picket men.	7 boatmen.
2 topographers.	1 herder.

Commissariat Department.

1 commissary.	3 packmasters.
1 quarter-master-sergeant.	20 packers.
8 dépôt men.	2 herders.
3 butchers.	

Four.

(4.) Trail-making Parties.

1 sergeant in charge.	1 packmaster.
10 axemen.	2 packers.
1 cook.	

Artificers.

1 blacksmith.	1 tailor.
1 carpenter.	1 shoemaker.
1 saddler.	1 cook.

SUMMARY OF DISTRIBUTION.

	Officers.	Non-Com. Officers.	Sappers.	Civilians.	Indians.
Head-quarters - - -	5	—	4	38	4
Astronomical party - - -	2	1	9	20	—
Two surveying parties - - -	2	2	16	54	—
Four trail making parties - - -	—	1	—	59	—
Commissariat - - -	1	1	—	36	—
Four dépôt parties - - -	—	—	20	4	—
Casualties - - -	—	—	6	5	—
Total - - -	10	5	55	226	4

SUMMARY OF ESTIMATES OF PAY.

Officers.

	Dollars.
1 commissioner - - -	4,867
1 secretary - - -	1,582
1 astronomer - - -	2,922
1 assistant astronomer - - -	1,948
1 surgeon - - -	2,000
1 geologist and botanist - - -	2,000
1 veterinary surgeon - - -	1,800
1 commissary - - -	2,000
2 surveyors, 1,461 dollars each - - -	2,922

Per annum 22,044

Royal Engineers.

	Dollars.
1 sergeant-major - - -	2-00
1 quarter-master-sergeant - - -	2-00
3 sergeants, \$1-83 $\frac{1}{2}$ each - - -	5-50
4 corporals, \$1-66 $\frac{2}{3}$ each - - -	6-66 $\frac{2}{3}$
4 2nd corporals, \$1-50 each - - -	6-00
8 lance-corporals, \$1-33 $\frac{1}{3}$ each - - -	10-66 $\frac{2}{3}$
39 sappers, \$1-16 $\frac{2}{3}$ each - - -	45-50

Per day \$78-33 $\frac{1}{3}$

DETAILS OF PAY OF CIVILIANS FOR ONE MONTH.

Party.	Servants.	Rate per month.	Amount.	Cooks.	Rate per month.	Amount.	Amenents.	Rate per month.	Amount.	Peck, mules.	Rate per month.	Amount.	Peckers.	Rate per month.	Amount.
Astronomical	2	60	120	2	60	120	4	45	180	1	125	125	13	60	780
(2) Surveying	2	60	120	4	60	240	3	45	135	2	125	250	22	60	1,320
(4) Trail parties	—	—	—	4	60	240	40	45	1,800	4	125	500	4	60	240
(4) Depôts	—	—	—	4	60	240	—	—	—	—	—	—	—	—	—
Commensariat	—	—	—	—	—	—	—	—	—	3	125	375	20	60	1,200
Head-quarters	6	60	360	6	60	360	—	—	—	—	—	—	6	60	360
Head-quarters	Assistants. 3	60	180	Clerks. 2	75	150	Foremen. 1	60	60	Grooms. 2	40	80	—	—	—
Trail parties	—	—	—	—	—	—	3	60	180	—	—	—	—	—	—
Cavalries	—	—	—	—	—	—	—	—	—	—	—	—	5	60	300
Totals	—	—	360	—	—	360	—	—	2,350	—	—	1,350	—	—	6,440

(continued.)

Party	Hinders.	Rate per month.	Amount.	Boatmen.	Rate per month.	Amount.	Dep't men.	Rate.	Amount.	Butchers.	Rate.	Amount.	Total.
Astronomical	1	30	30	7	40	280	—	—	—	—	—	—	1,353
(2) Surveying	2	30	60	14	40	560	—	—	—	—	—	—	2,790
(4) Trail parties	—	—	—	—	—	—	—	—	—	—	—	—	2,940
(4) Depôts	—	—	—	—	—	—	—	—	—	—	—	—	100
Commensariat	2	30	60	—	—	—	8	60	480	3	40	120	2,335
Head-quarters	—	—	—	12	40	480	—	—	—	—	—	—	1,320
Head-quarters	—	—	—	—	—	—	—	—	—	—	—	—	470
Trail parties	—	—	—	—	—	—	—	—	—	—	—	—	180
Cavalries	—	—	—	—	—	—	—	—	—	—	—	—	300
Totals	—	—	180	—	—	1,320	—	—	480	—	—	120	11,350

SUMMARY OF ESTIMATE OF EXPENDITURE in the Field for three years.

	Dollars.
Pay of officers, civil and military	66,129
„ detachment, Royal Engineers	85,776
„ civilians	430,200
Purchase of mules	80,000
Winter quarters	60,000
Outfit, including purchase of instruments	34,548
Provisions	103,689
Forage	142,560
Transport of Royal Engineer detachment and instruments from England <i>via</i> Victoria to Fort Simpson	14,155
Transport of provisions, tools, camp sundries, &c. from San Francisco to Fort Simpson	10,000
Sundries and contingencies	36,240
Total	\$1,063,297

Of the above sum 480,000 dollars would be required in the first year.

APPENDIX II.

ESTIMATE OF EXPENDITURE.

Head of Expenditure.		Amount
		Dollars.
In proportion to duration of fieldwork	Annual pay of officers - - -	22,041
	" Royal Engineers - - -	28,592
	" civilians - - -	143,400
	Annual cost of provisions - - -	34,563
	" forage - - -	47,520
	" transport - - -	3,300
50 per cent. to be added for and period over three seasons	Annual sundries and contingencies - - -	12,113
	Winter quarters - - -	60,000
	Outfit - - -	34,548
Independent of duration of work	Transport of Royal Engineers from England - - -	14,155
	Purchase of mules - - -	80,000

APPENDIX III.

Head of Expenditure	To comply strictly with Treaty, 7 years	United States Scheme, 3 years	By altering Treaty, 3 years
	Dollars.	Dollars.	Dollars.
Pay of officers, civil and military - - -	154,287	66,129	40,482
" detachment, Royal Engineers - - -	200,095	85,776	57,171
" civilians - - -	1,003,800	430,200	111,992
Purchase of mules - - -	80,000	80,000	6,000
Winter quarters - - -	65,155	60,000	50,000
Outfit and equipment - - -	51,882	34,548	32,985
Purchase of provisions - - -	241,941	103,689	80,000
" forage - - -	332,640	142,560	7,128
Transport of Royal Engineers from England - - -	14,155	14,155	14,155
" stores and provisions - - -	25,000	10,000	7,000
Sundries and contingencies - - -	60,511	36,240	15,800
	2,229,766	1,063,297	422,713

LONDON: Printed by EYRE and SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty,
For Her Majesty's Stationery Office.
[10599.—50.—9/86.]

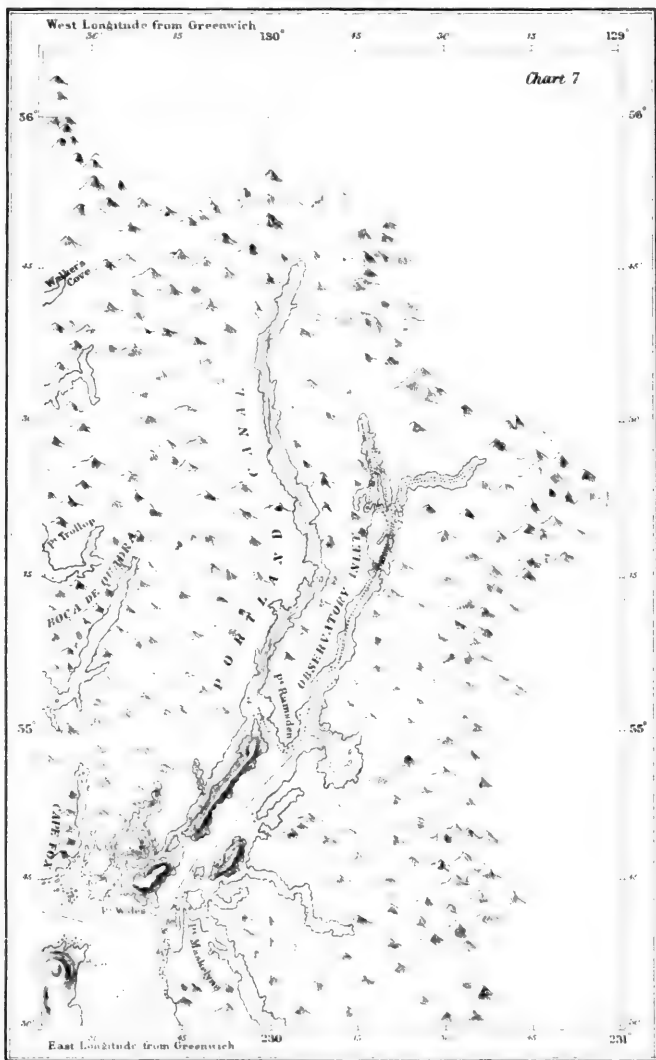


Мерк. № 4.

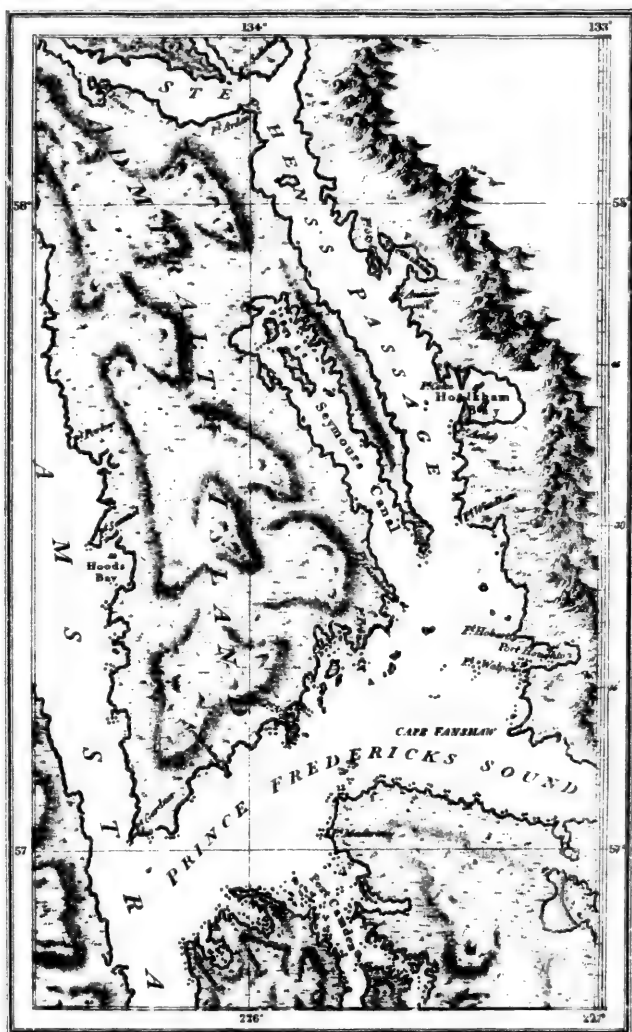
A TRACING FROM

PART OF VANCOUVERS CHART PUBLISHED IN 1798.

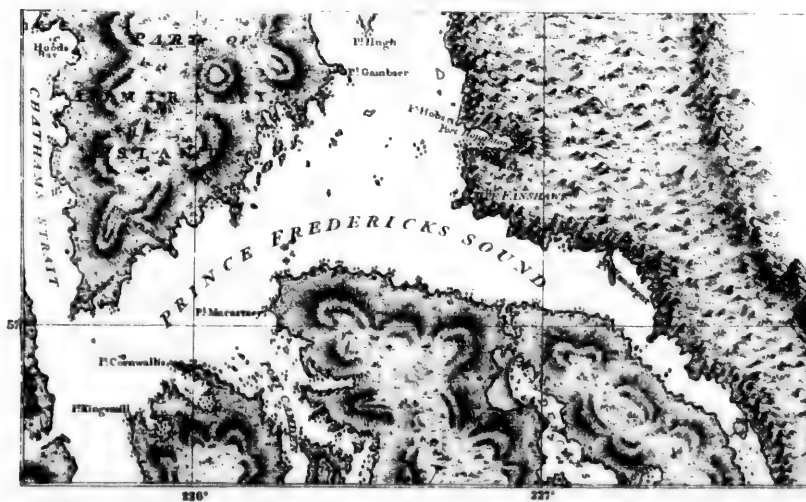
SHewing in red the track of his boat journey between July 27th and August 2nd 1793 plotted from the text of his voyage.



FROM VANCOUVERS ATLAS. PART OF CHART N^o XII.

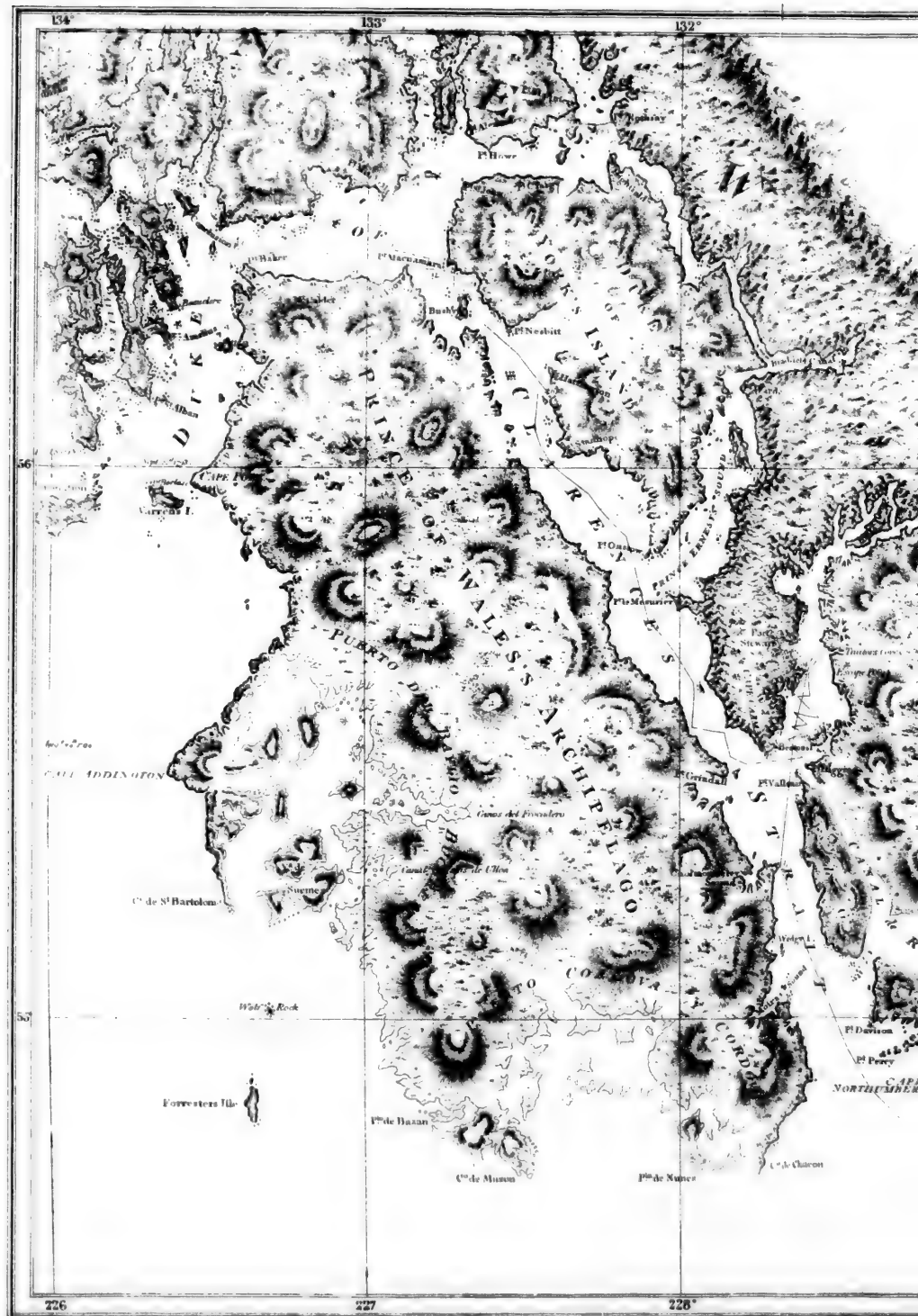


DANGERFIELD, LITH 22, BEDFORD ST COVENT GARDEN 12643



DANFORTH LITH 22 BLDFORD ST COVENT GARDEN 12643

FROM VANCOUVER'S ATLAS.—PART OF CHART VII.



131°

130°

PART OF

A CHART

showing part of the

COAST OF N.W. AMERICA

with the tracks of His Majesty's Ship

DISCOVERY and Armed Tender CHATAM

Commanded by GEORGE VANCOUVER Esq. and prepared

under his immediate inspection by Lieut Joseph Blake in which the
Continental. There has been a current traced east and then on and from
 Lat. $57^{\circ} 45' N$ and Long. $137^{\circ} 25' W$ to Lat. $57^{\circ} 30' N$ and Long. $136^{\circ} 45' W$
 at the periods shown by the lines.

The parts not shaded are taken from Spanish authorities

1. Shows the track of the *Continental* 2. Shows other authorities
 3. Shows the track of the *Continental* 4. Shows other authorities

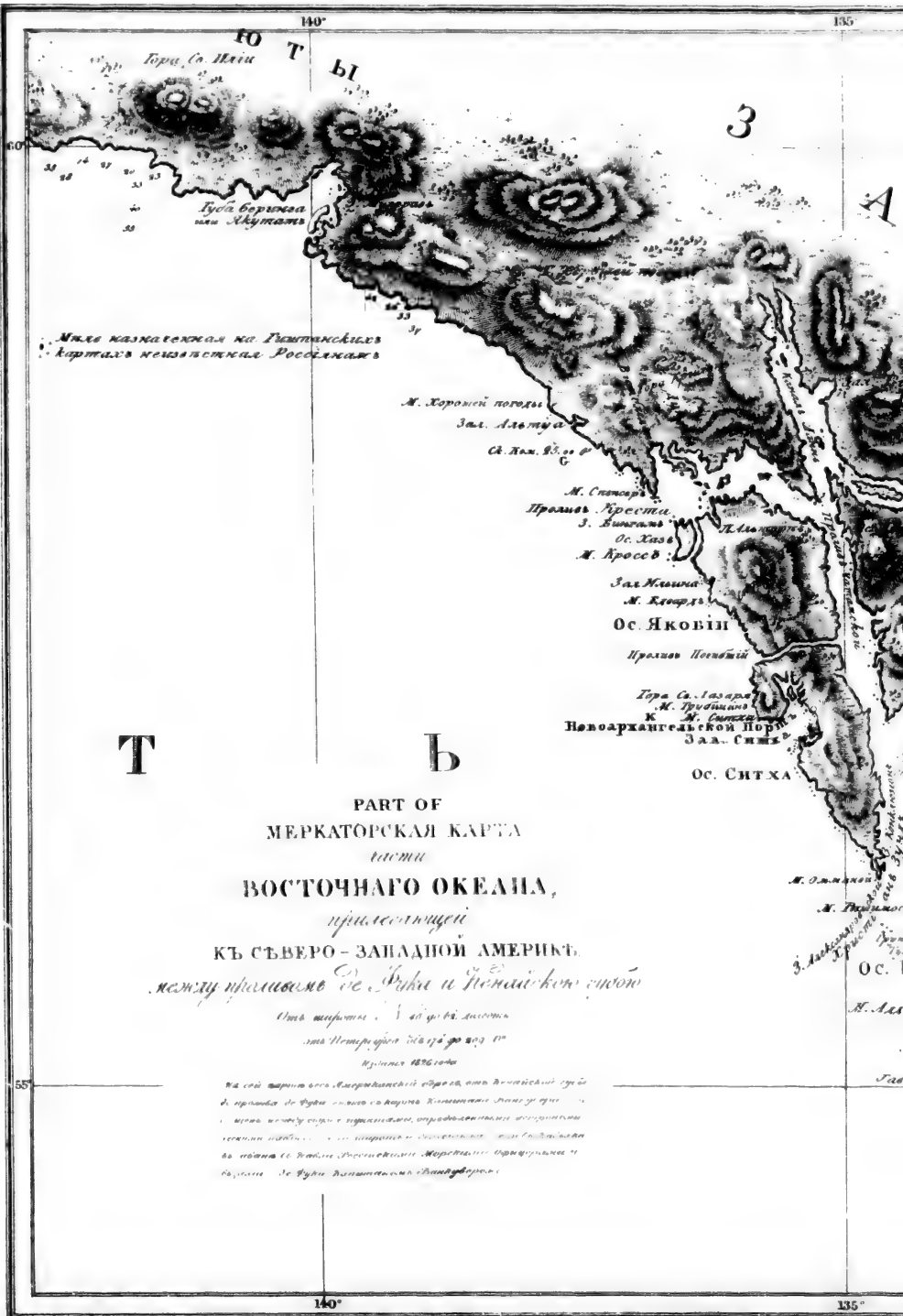
VANCOUVER'S ATLAS.

Sheet 7.



229°

230°

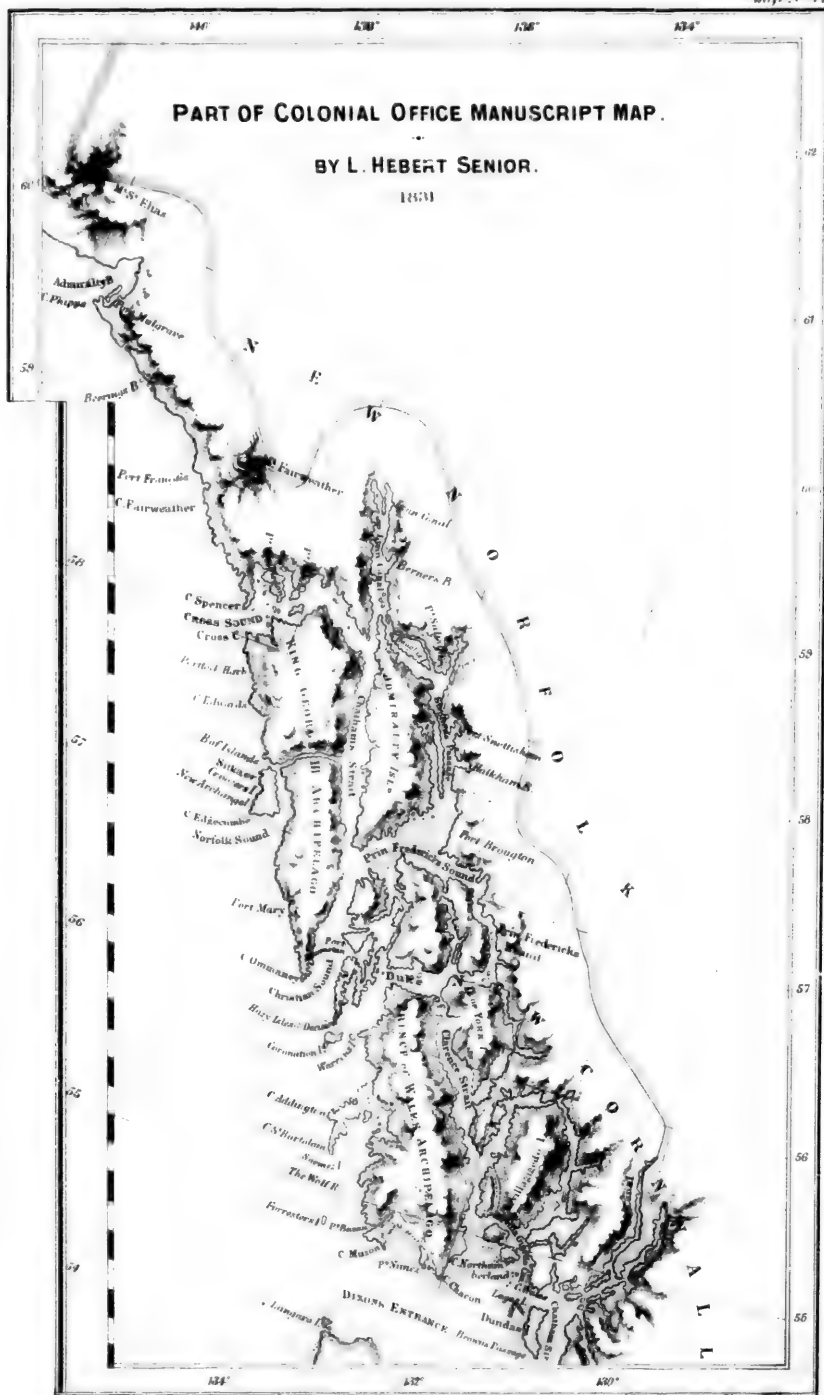




PART OF COLONIAL OFFICE MANUSCRIPT MAP.

BY L. HEBERT SENIOR.

12531



Map N° VII.

PART OF
КАРТА
МЕДОВИТАГО МОРЯ
ВЪ ВОСТОЧНАГО ОКЕАНА.

Составлена съ новейшихъ описей
ВЪ ГИДРОГРАФИЧЕСКОМЪ ДЕПАРТАМЕНТѢ
МОРСКАГО МИНИСТЕРСТВА.



N° 1345.



DANCER-ELD, LITH 22, BEDFORD ST COVENT GARDEN. 1858

PART OF

КАРТА

Полуострова Аляска

АМЕРИКИ

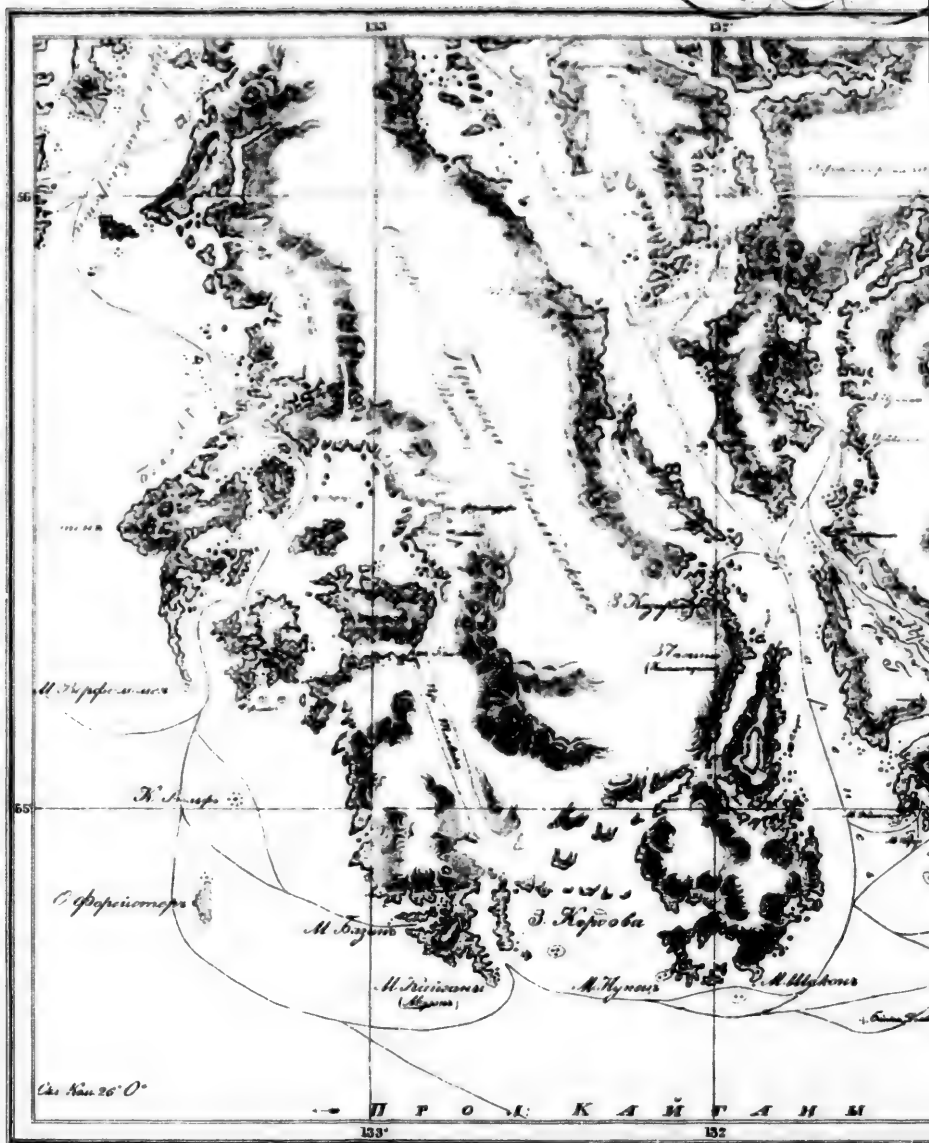
своими измерениями

и расстояниями

Николаева

1839

IX

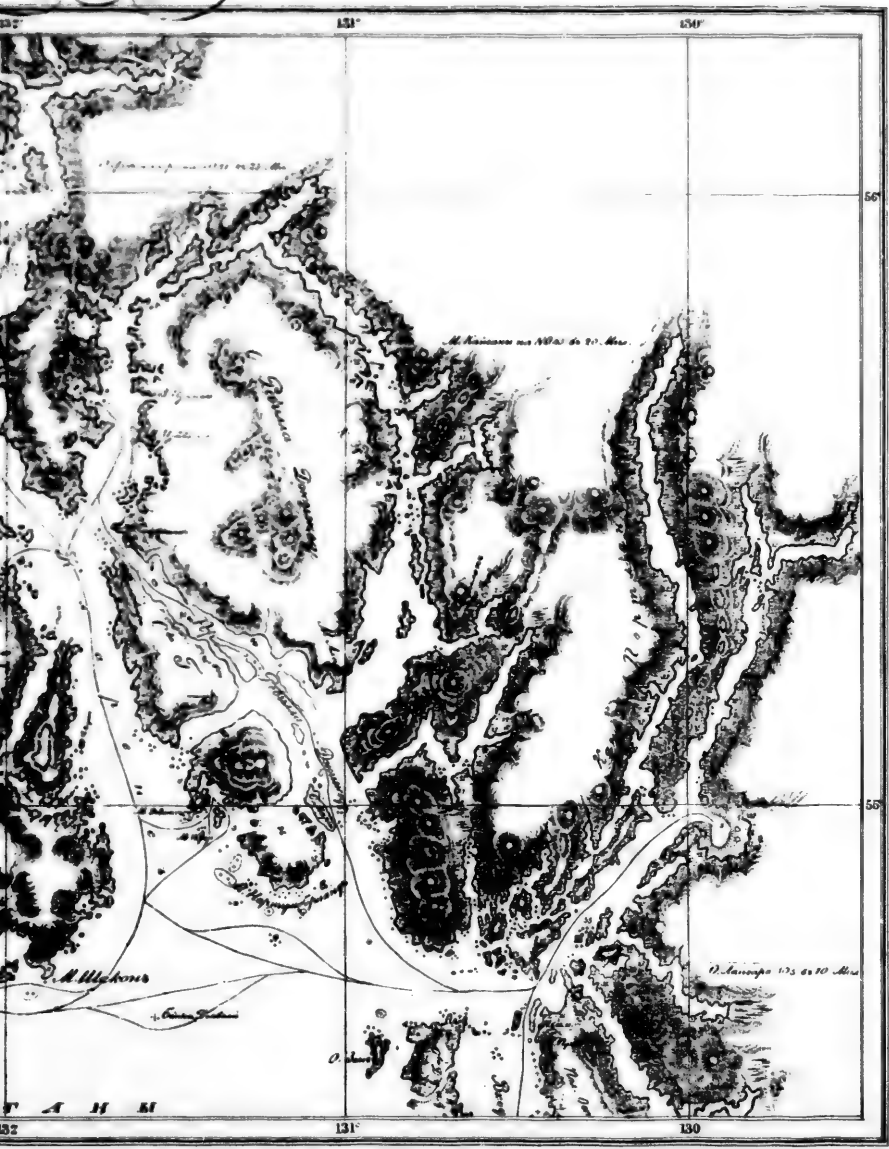


PART OF
КАРТА
части NW долины
АМЕРИКИ
по измерениям 34 и 56
долины поперёк долины и поперёк
Нобо Арканзасской

Map N° VIII.

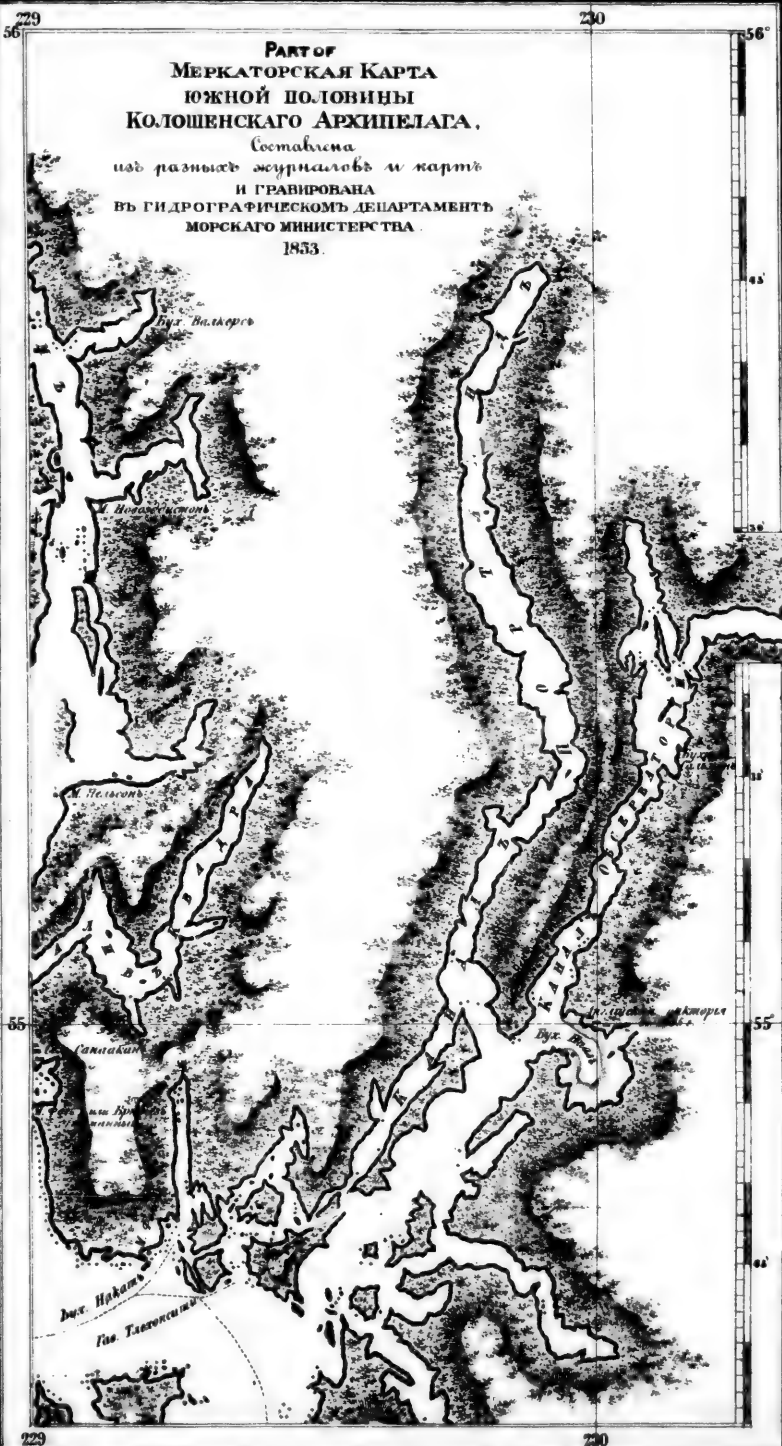
IX

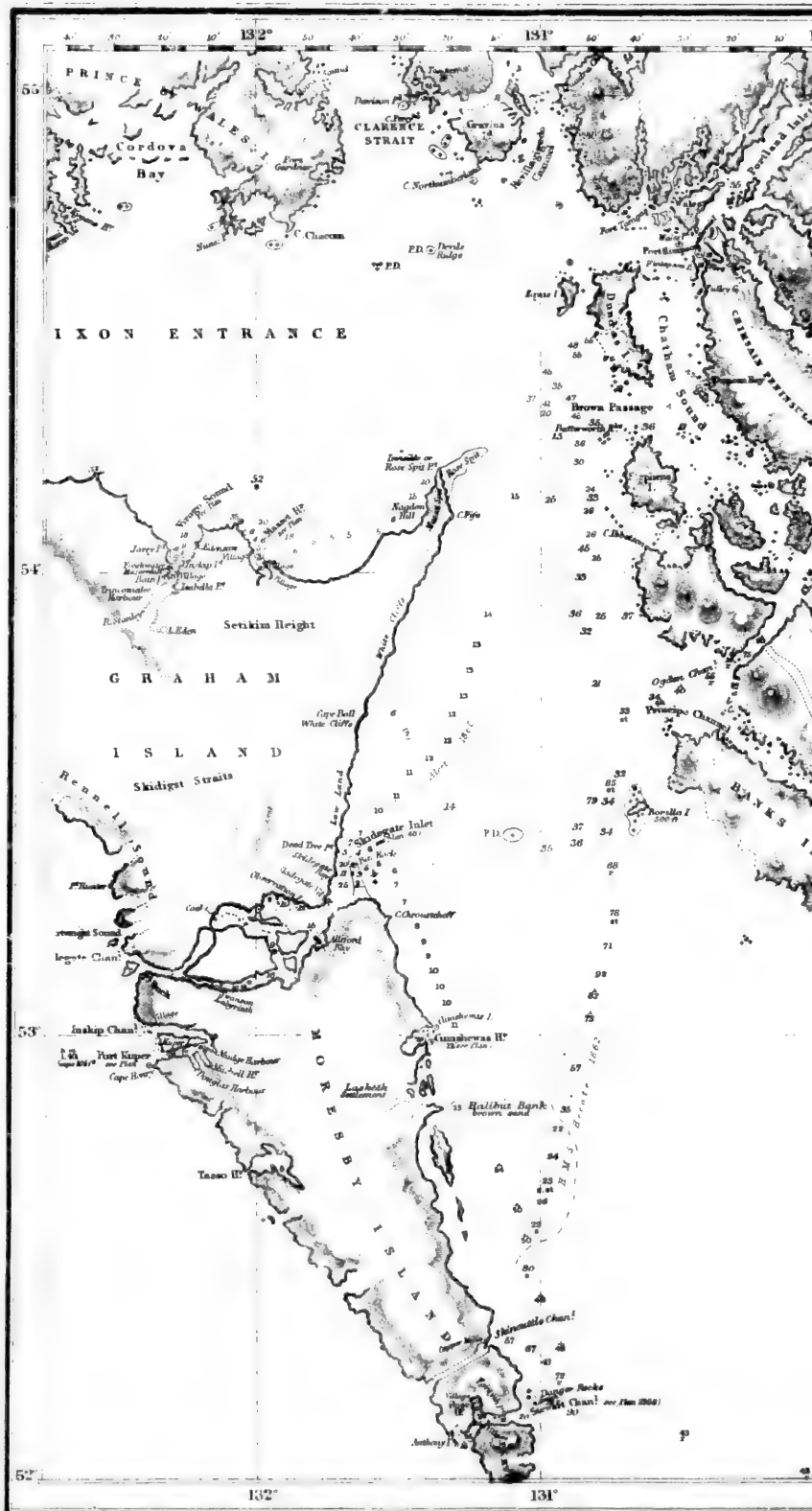
1840



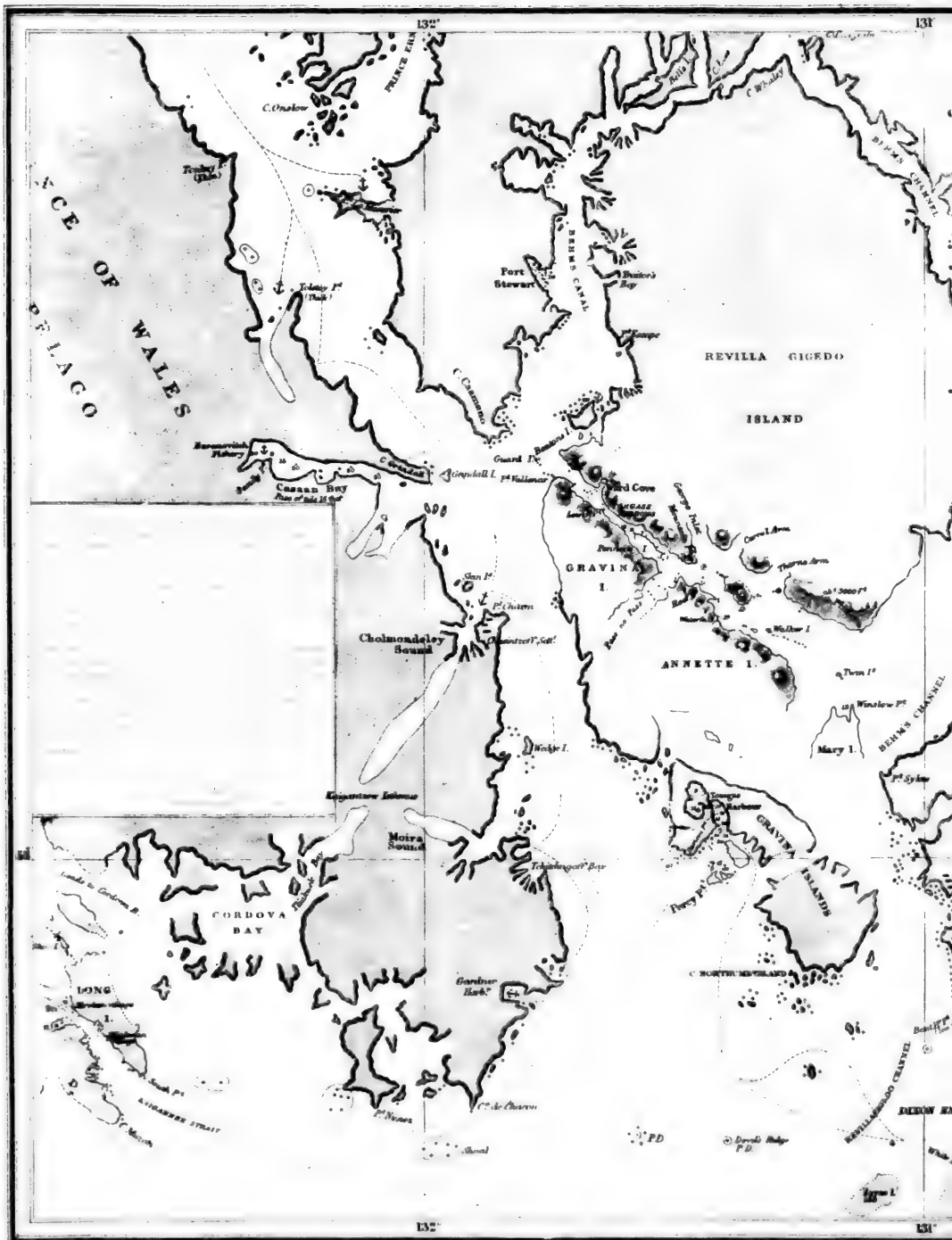
ПАРТ OF
МЕРКАТОРСКАЯ КАРТА
ЮЖНОЙ ПОЛОВИНЫ
КОЛОШЕНСКАГО АРХИПЕЛАГА.

Составлена
изъ разныхъ журналовъ и картъ
и ГРАВИРОВАНА
ВЪ ГИДРОГРАФИЧЕСКОМЪ ДЕПАРТАМЕНТѢ
МОРСКАГО МИНИСТЕРСТВА
1853.









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View Cove
 possibly leads to
 Sea Otter Sound

Leads to Cordova Bay

Crow I.
 Saw

HOWKAN
 INCLU
 AMERIC
 AN
 ADJACEN

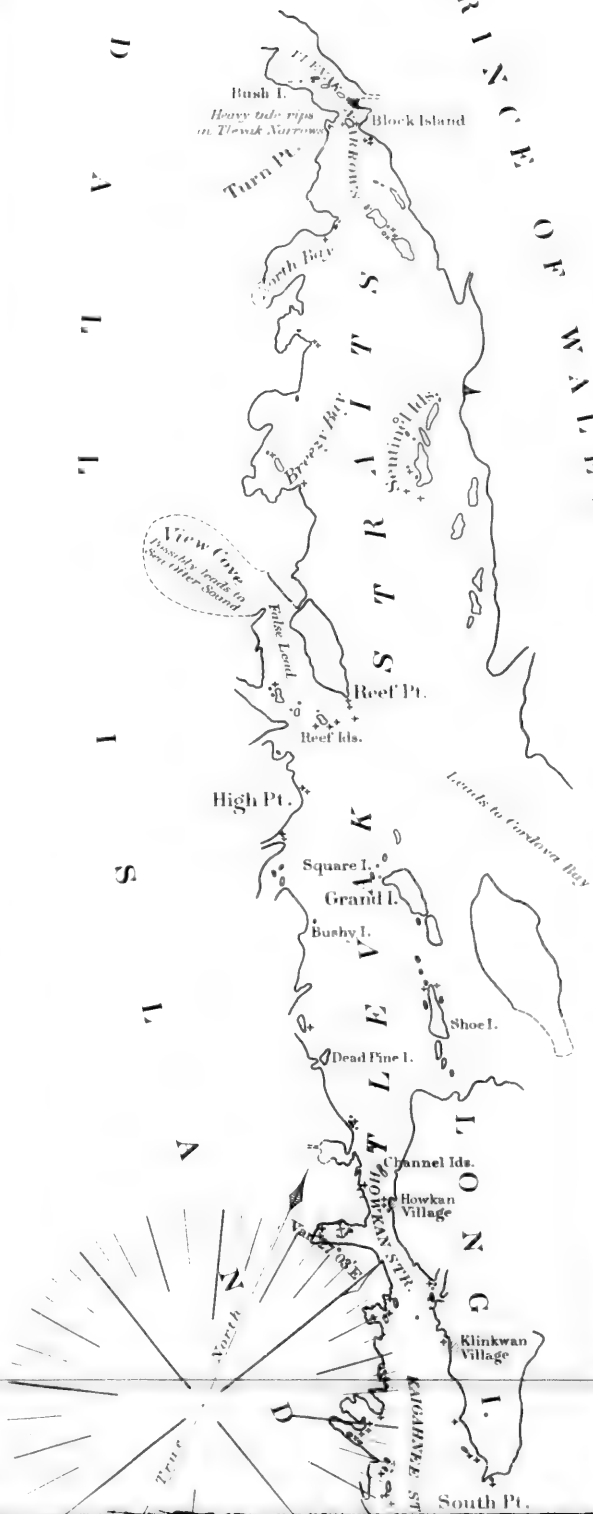
188

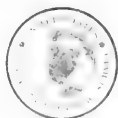
Nautical
 1 2 3

SOUNDINGS

Limit
 Plane of referen
 low water. App
 & Fall of Tides is

17
 Ame





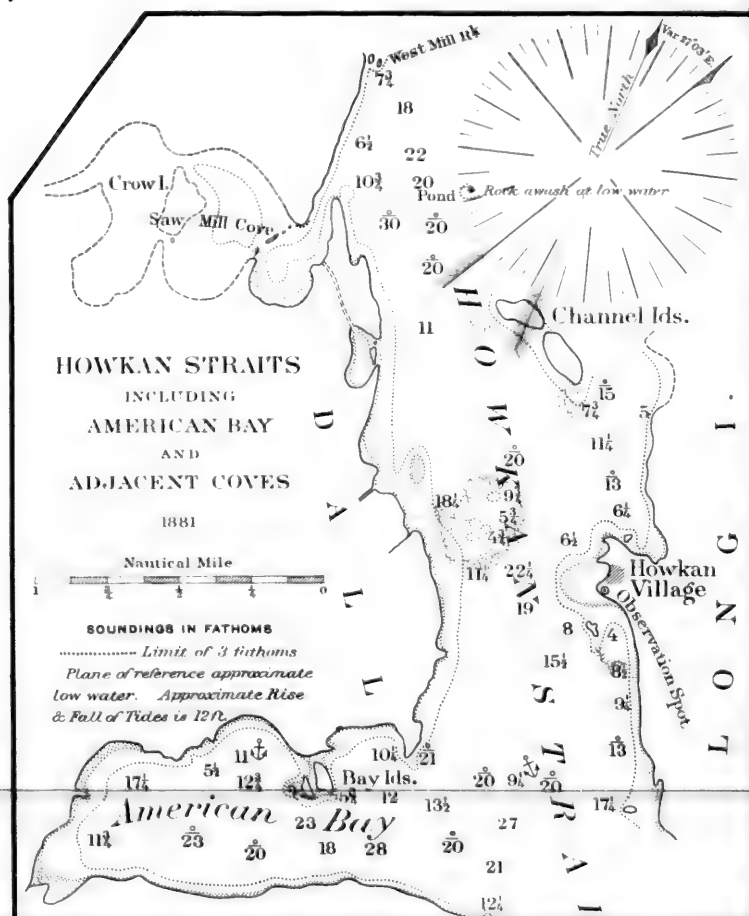
RECONNAISSANCE
OF THE SHORES OF
TLEVAK AND CONNECTING STRAITS
FROM CAPE MUZON TO TLEVAK NARROWS
ALASKA

By the party under the command of
Lieut. Comdr. H. E. Nichols, U.S.N., Assist. C. & G.S.

1881



Issued January 1883. J.E. HILGARD, Superintendent
Verified: R.D. CUTTS, Assistant in Charge of Office & Topography





SAILING DIRECT

Avoid Kelp. Be on guard for tidal currents. Pass keep the western shore aboard to avoid rock awash w. half mile N.E. from Dead Pine Island a course N.W. $\frac{1}{2}$ half a mile of Square Island bearing E.N.E. thence N. astern, when a course N.W. $\frac{5}{8}$ W. made good leads clear. The sunken rock S.E. by E. $\frac{3}{4}$ E. from Reef Point (bar west from this course and should be carefully avoided.

Tlevak Narrows should be entered west from this island and Turn Point until two cables past Turn which extends north from Turn Point.

Strong tidal currents on both sides of the channel necessitate of great caution in navigating this strait.

ONS

estward from *Channel Islands* and
from the islands. — From a point one
Z leads clear of obstructions to within
Z by N. until Square Island bears S.E.
of all obstructions to Tlevak Narrows.
of Kelp in winter) lies $\frac{3}{4}$ of a mile
1.

lock Island keeping midway between
Point thus clearing a reef with Kelp

nel, not yet investigated, indicate the



Observation Spot :

Longitude 132° 50' 12" W.

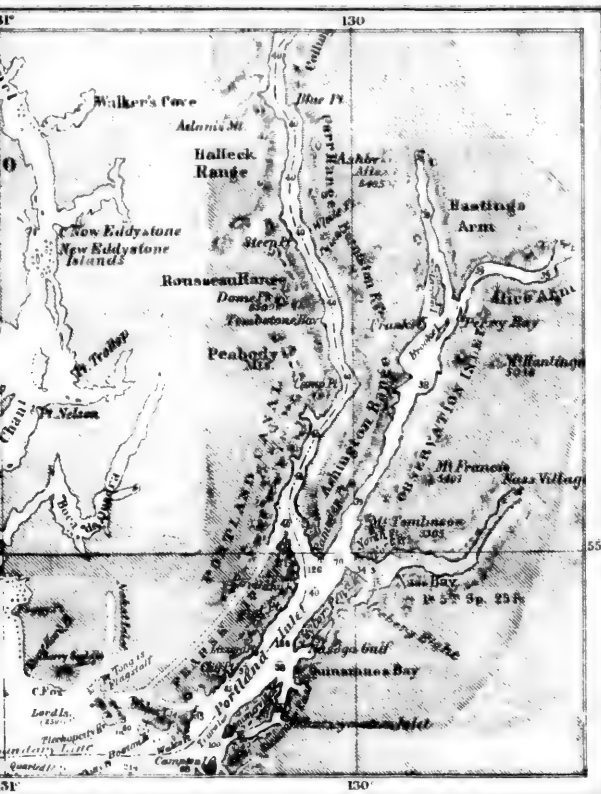
Latitude 54° 49' 39" N.

PART OF UNITED STATES CHART
1869, corrected to 1881
SOUTH WEST COAST OF



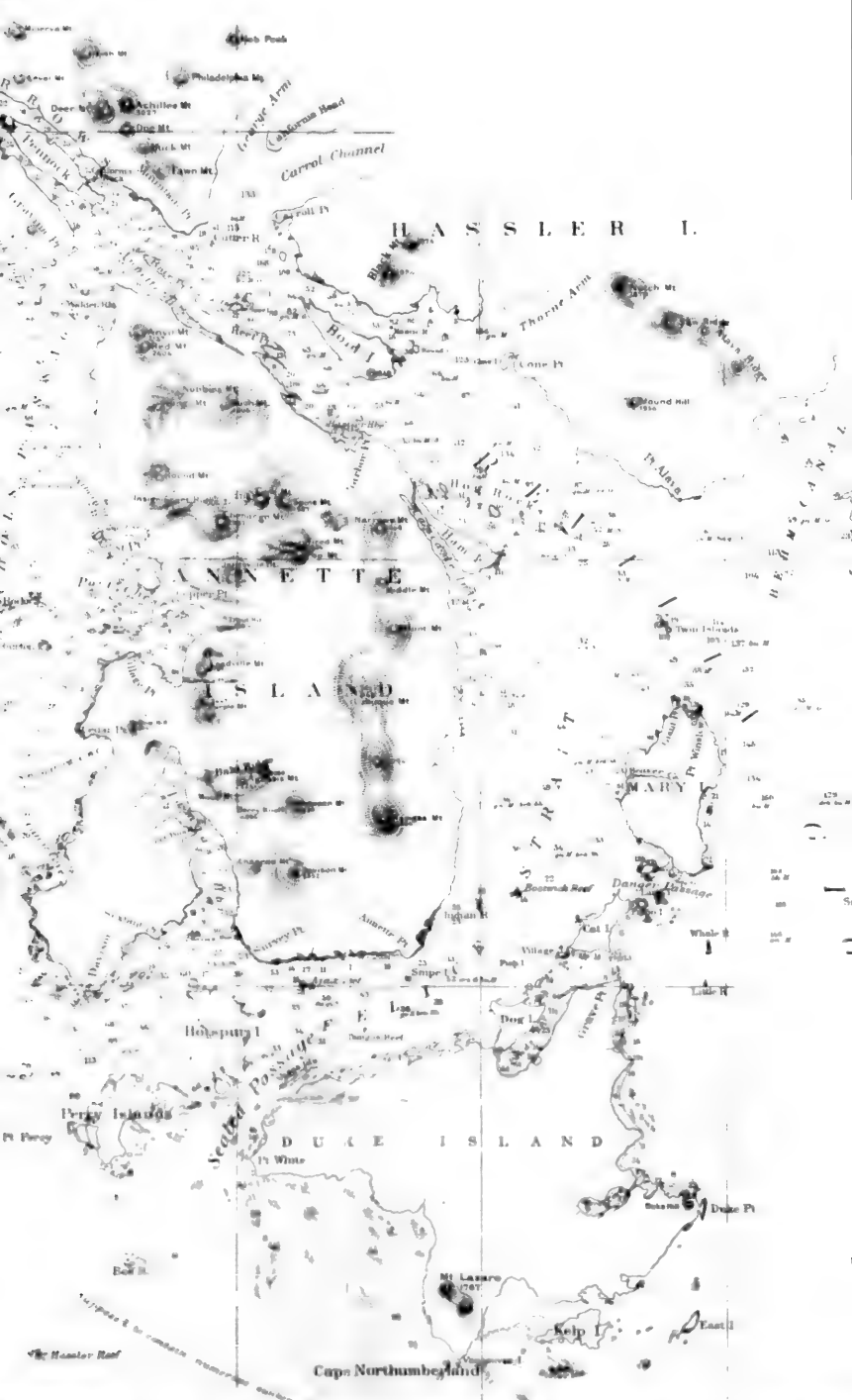
69. corrected to 1882.

WEST COAST OF ALASKA.





VILLA
GEDO I.





REVILLA GIGEDO S.E. A.

Scale



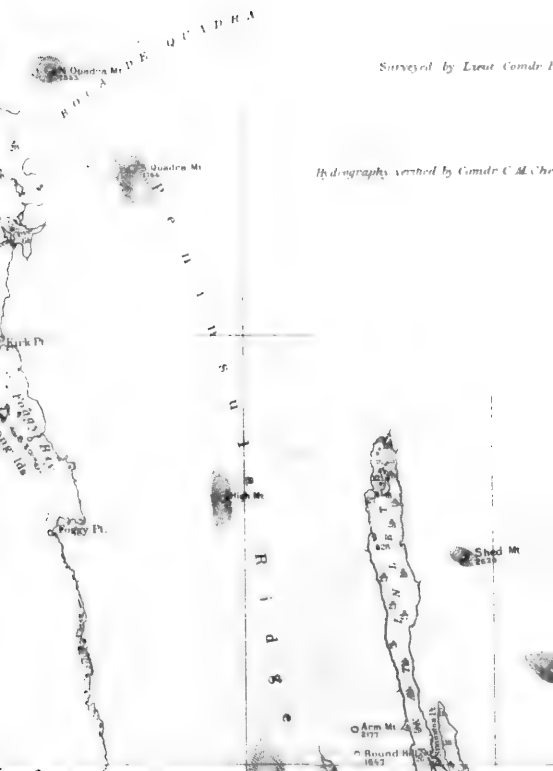
ehon Mt
2277

Backbone Mt
2575

Located March 1885 J.E.
Leitch U.S. Boulelle, Ass.

Surveyed by Lieut Comdr P.

Hydrography verified by Comdr C.M. Che





EDO CHANNEL

ALASKA

Scale 1:200,000

885

Statute Miles

Nautical Miles

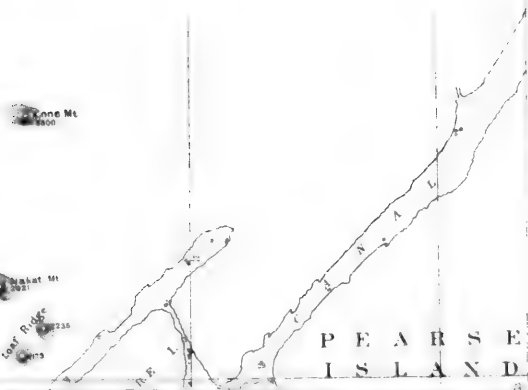
Meters

WILLIARD Superintendent

U.S.N. 1883

J. E. Nichols U.S.N. Assistant in 1883

U.S.N. Hydrographic Inspector



W. Hessler Reef

W. Hessler Reef

W. Hessler Reef

W. Hessler Reef

HEIGHTS IN FEET
SOUNDINGS IN FATHOMS
REDUCED TO MEAN LOW WATER

Tides

	Lowest Water	Mean
Mary Island Anchorage	12.57	13.22
Hessler Harbor	12.37	13.37
Ward Cove	12.09	13.18
Passage Bay	12.26	13.08
Port Tonyuan	12.15	12.91
Port Chester	12.36	12.96
Tongva Harbor	12.27	13.11

W. Devil R.
Hessler Reef, Port Chester

Abbreviations

G for Gravel M for Mud S for Sand Sh for Shells

C for Clay Co for Cobble F for Fine Gravel L for Limestone

P for Pebbles R for Rocks T for Tuff V for Volcanic

Handley Reef

Cape Northumberland

Kelp I.

Caution I.

Nether L.

West Rock

Club R.

Yellow R.

201
W. R. G.

W. R. G. R.

12

75
W. R. G. R.

Barren I.

138
W. R. G.

W. R. G.

30

110
W. R. G.

E. Devil Rock

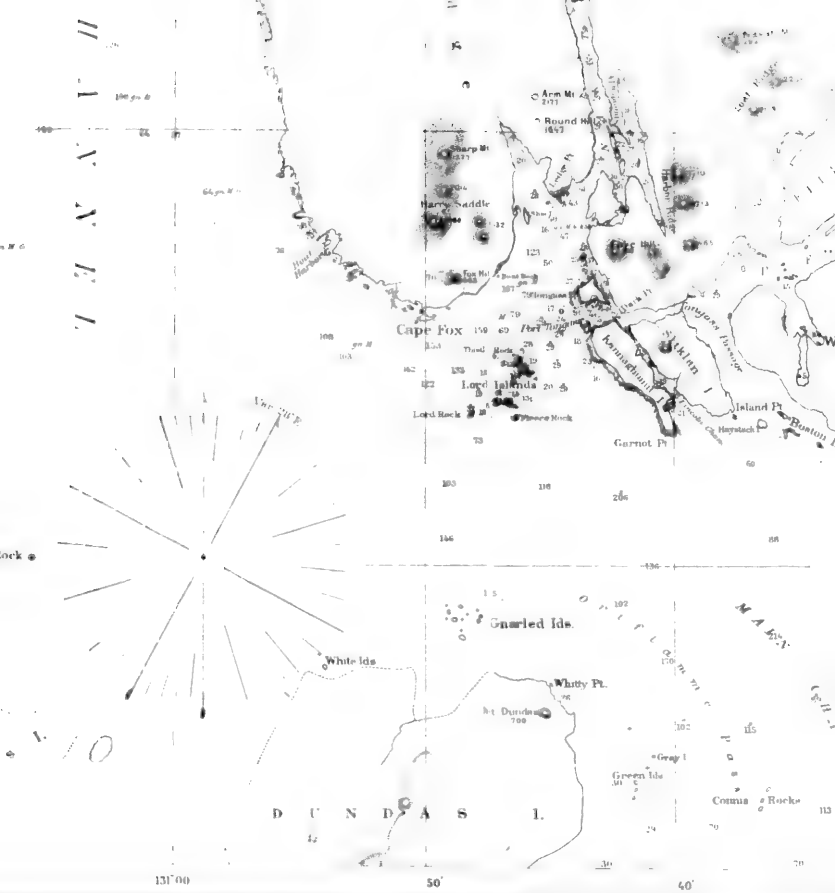
W. Devil R.
(1840s, 1880s, 1900s)

Mc Cullough R.
(H. W. R.)

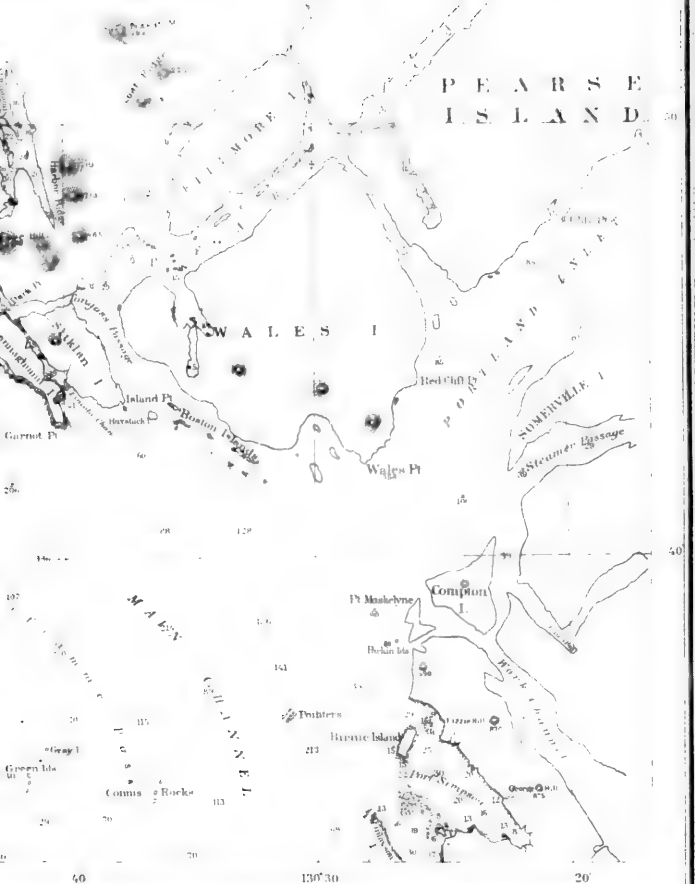
131.30

20

10



PEARSE ISLAND





Nº X.
N. W. AMERICA.
BRITISH COLUMBIA.

PART OF
PORTLAND CANAL.

From the Admiralty Survey of 1868.

H. W. F. & C. 1. 30

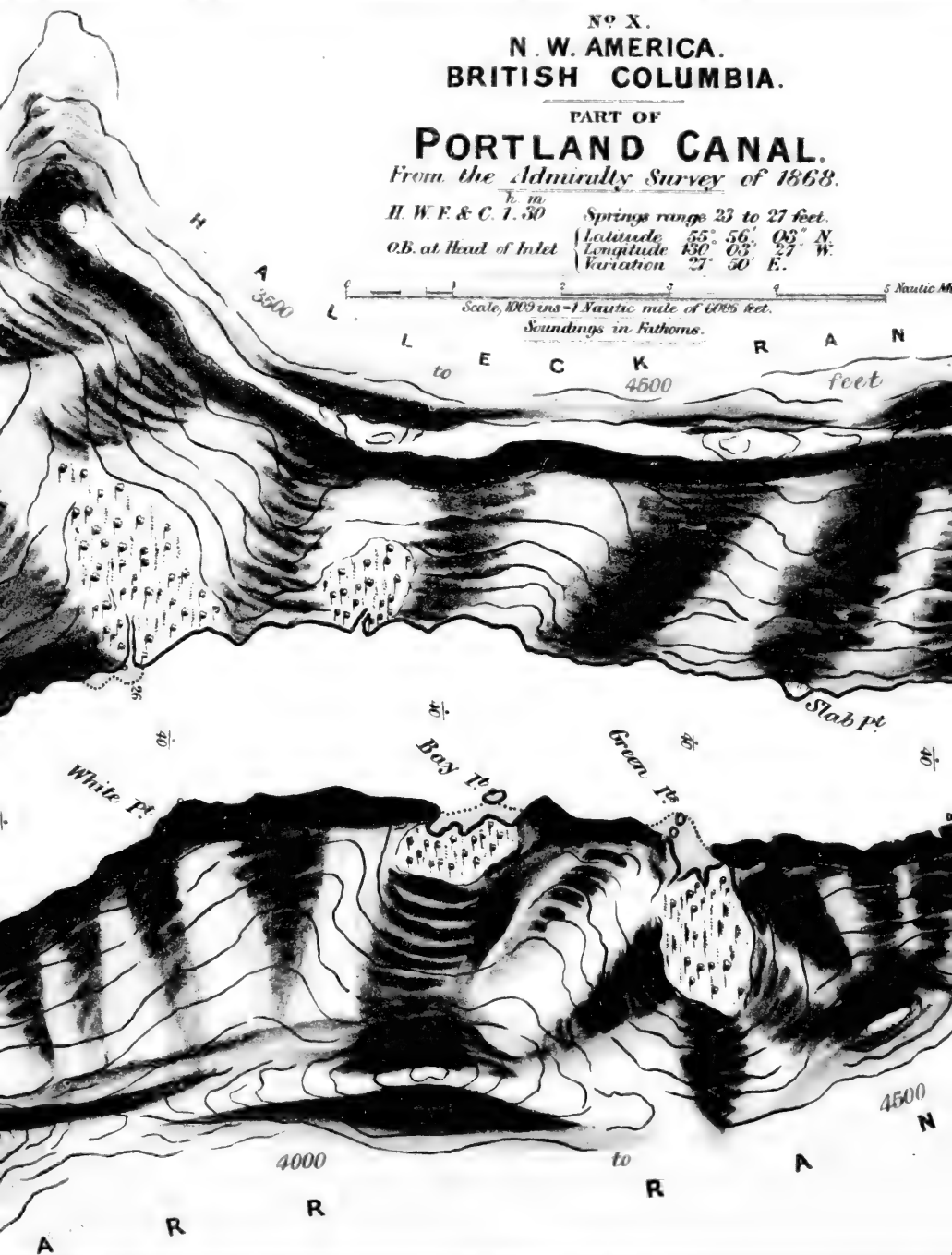
Springs range 23 to 27 feet.

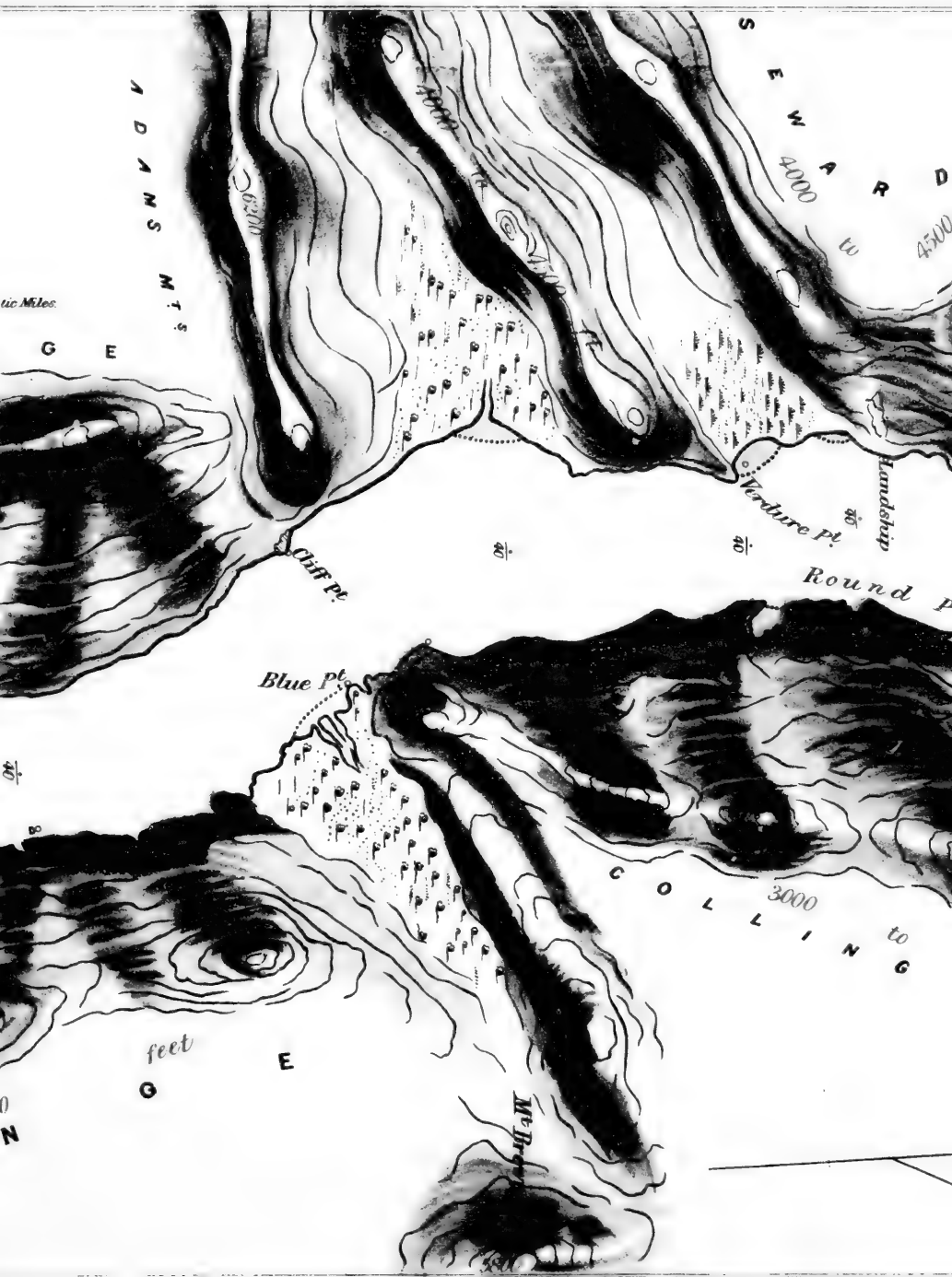
O.B. at Head of Inlet

Latitude	55° 56' 00" N.
Longitude	130° 03' 27" W.
Variation	27° 50' E.

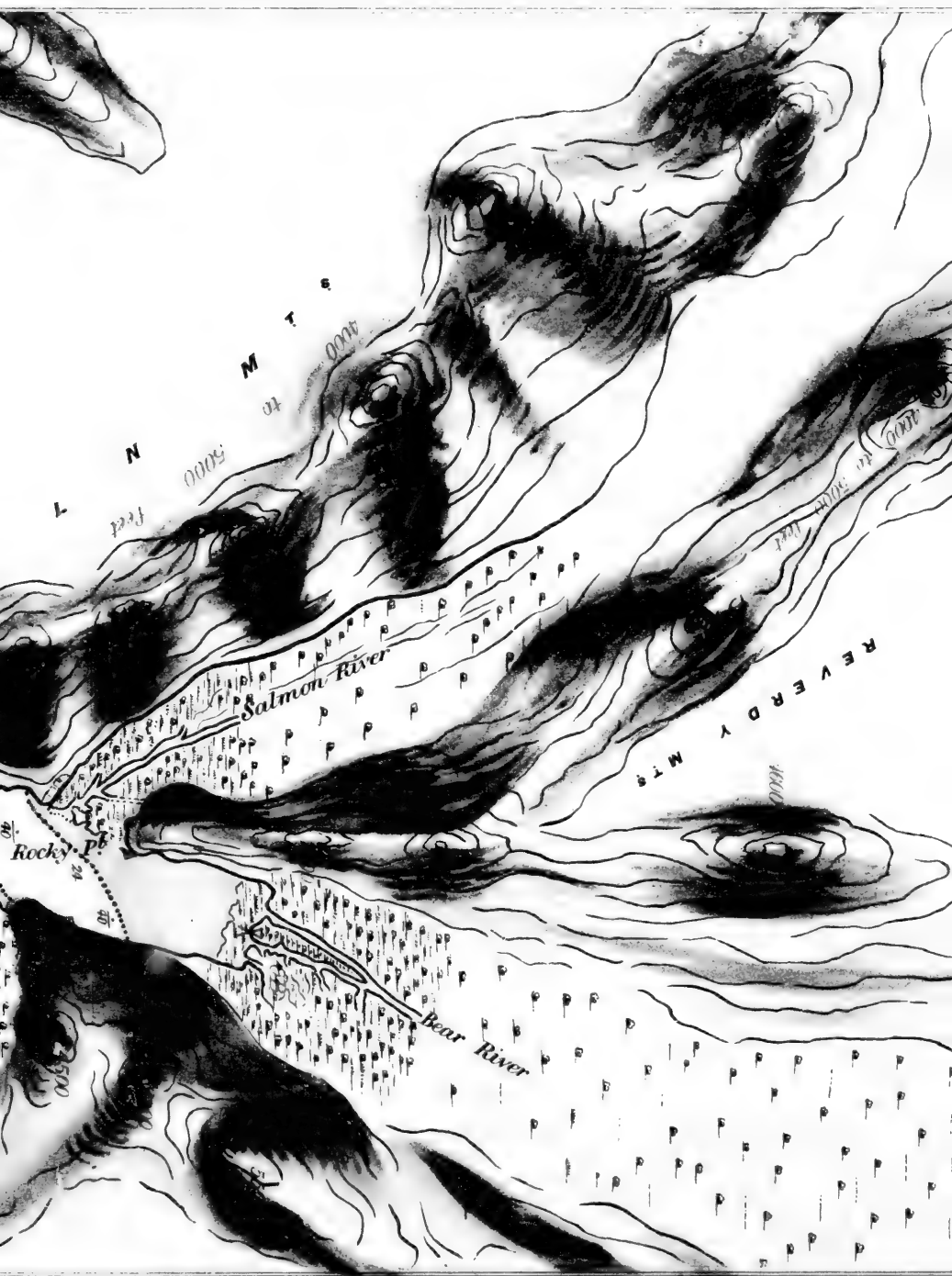
Scale, 1000 ins = 1 Nautic mile of 6076 feet.

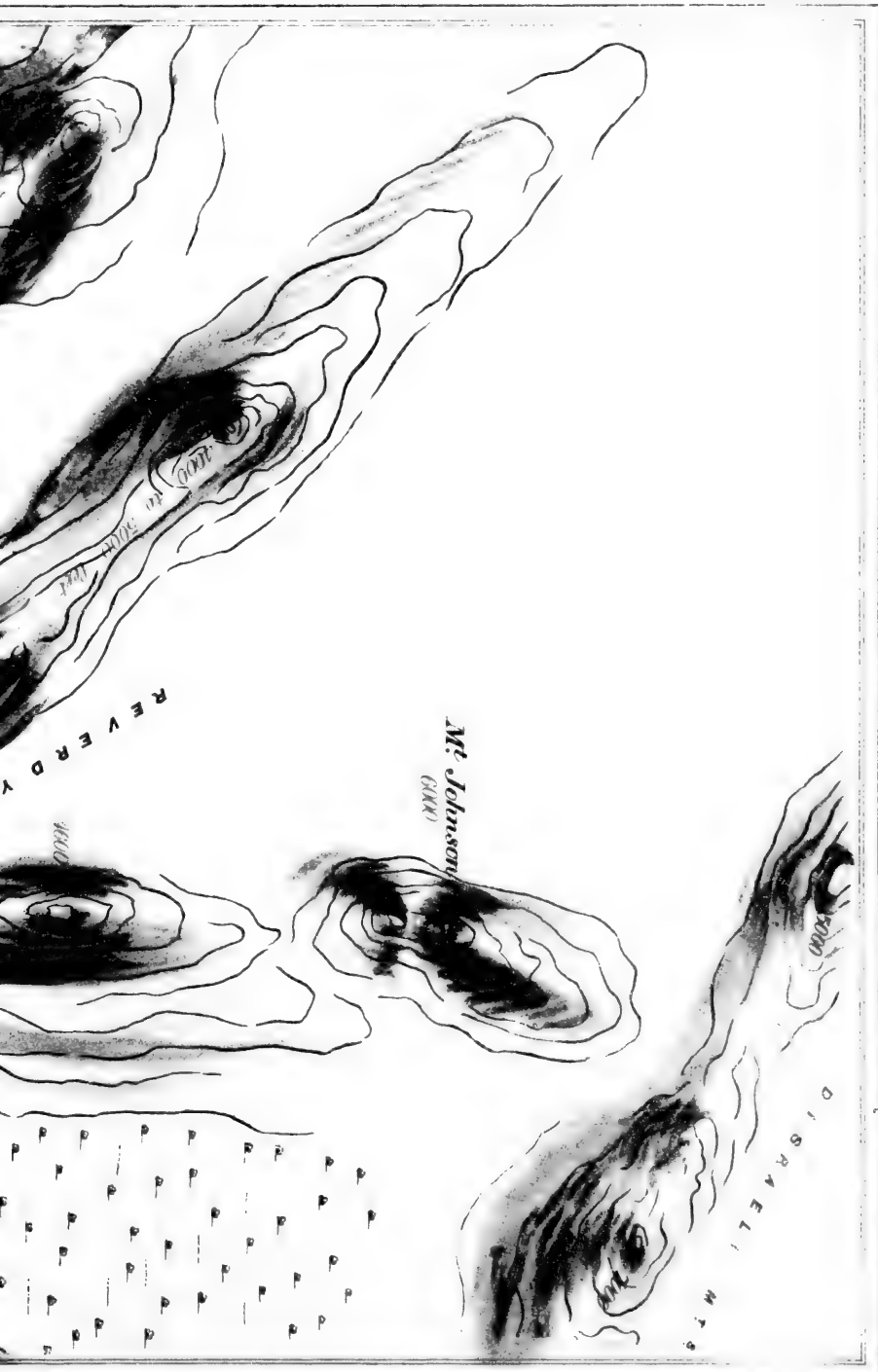
Soundings in Fathoms.





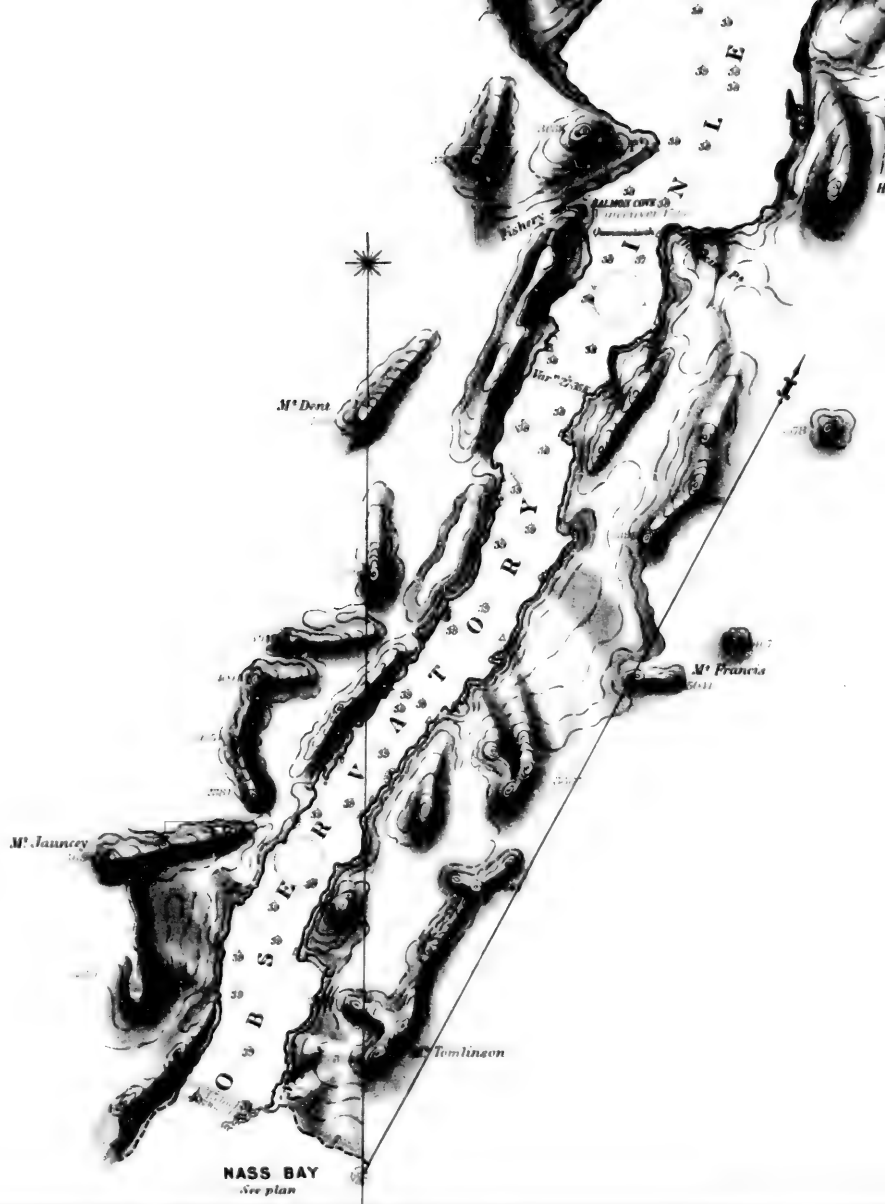














N^o XI.
N.W. AMERICA.
BRITISH COLUMBIA.
— from the —
OBSERVATORY INLET,
— of —
ADMIRALTY SURVEY,
— 1868. —

Spring Range 23 ft. Neap Range 12 ft.

H.W.F & C. 1H^o 05^m.

Latitude 54° 59' 26.4 N.
* *NAAS BAY, Longitude* 129° 57' 36 W.
Variation 27° 35' E.

*The Tides in Observatory Inlet are very irregular
and of varying time.*

Scale ^{1/10,000} ~~1/10,000~~ *Inc'* — 1 Nautic Mile, of 6086 Ft.*

Cables  *Nautic Miles.*

SOUNDINGS IN FATHOMS.

*Observatory Inlet was triangulated from the side North Pt. & to one
opposite on Western Shore, taken from the plan of Naas Bay.*

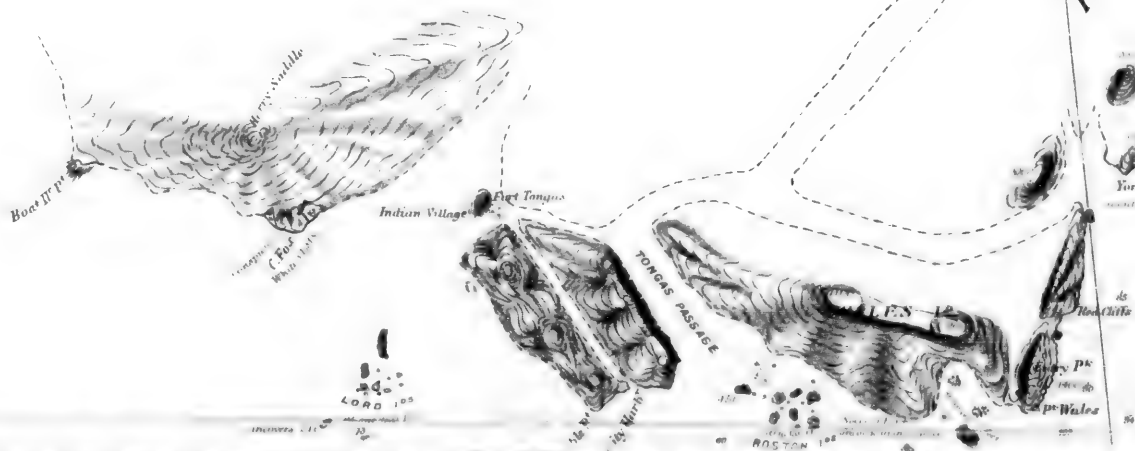
**This chart is drawn to a scale of 0.49225 inch = 1 Nautic Mile,
being a reduction to half the scale of the Original Survey.*

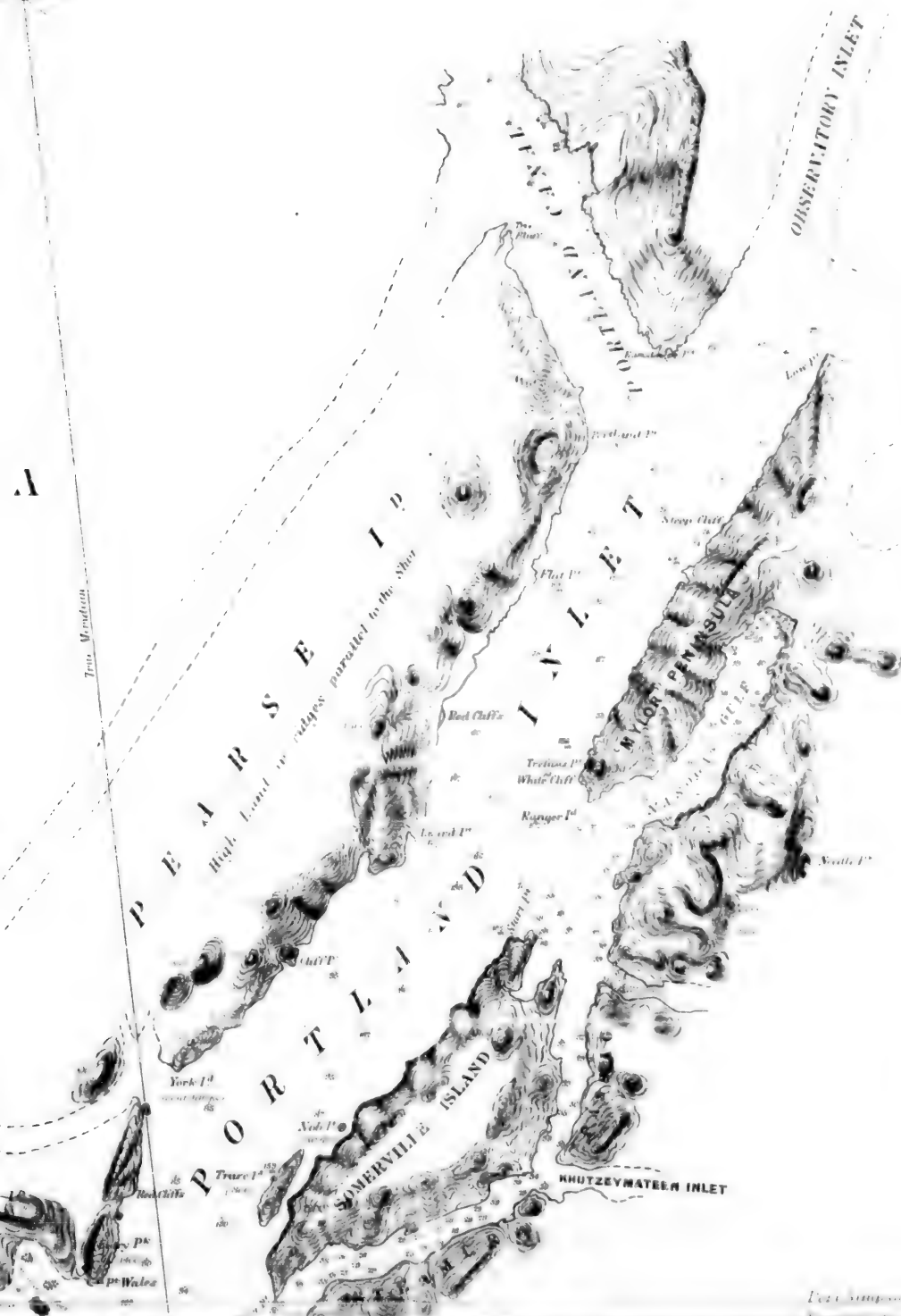
*D. R. Cameron.
Colonel.*

The
 This

At

A L A S K A





DIRECTIONS FOR THE NAUTICAL

Keep along south shore of Mass Bay a Saddle Peak on south at sea. When you a remarkable Sharp Peak just on St cleared land and then stand over town ere to view the Whirlpool Rocks over Keep about 5 cables from south shore in Black Cliffs P. on North shore at Stony P. has no rock but some island called Mud Island. About 100 yards from the Mud Island it may be then keep south shore along out anchor

NO VIII.
N. W. AMERICA
BRITISH
PORT SIMPSON TO
from the
ADMIRALTY SURVEY
1868.



NASS RIVER.

From Fort P¹ then stand across for Fort P² steer into the river towards
 and a continuous rowing stand over to North Shore keeping
 cables off the north shore until about some red cliffs &
 turning for a camp's beach between two Rocky Points & taking
 with great strength. Having passed the Whirlpool Rocks
 a field with a Maple S. E. corner & then steer for a
 the shore should be kept around passing about a cable
 here ahead passing close to the southward of a low swampy
 from Swampy E. up the river is the Middle Fork a dangerous
 From the Middle bank a mud channel runs for a mile &
 off the Middle Village

CA.

BIA.

NASS VILLAGE.

URVEY,

D I X O N
E N T R A N C E

CHATHAM SOUND

OFELAME PASSAGE

MAIN PASSAGE

GNARLED IS.

White Id.

OFNDAS ISLAND

ZAYAS

BOSTON

Wales

Muskelyne Pt

Peiders

Green I

Charles Pt

Tob

White Pt

LORD

Immaculate Pt
Thompson Bay



Port Simpson (C. 1.)	Latitude 54° 52' 51" N	Longitude 130° 26' 36" W	do	54° 52' 51" N	Longitude 130° 26' 36" W
Kincolish (C. 1.)	do	54° 52' 36" N	do	129° 57' 36" W	do
Nass Villages	do	54° 53' 51" N	do	129° 31' 54" W	do

SOUNDINGS IN FATHOMS

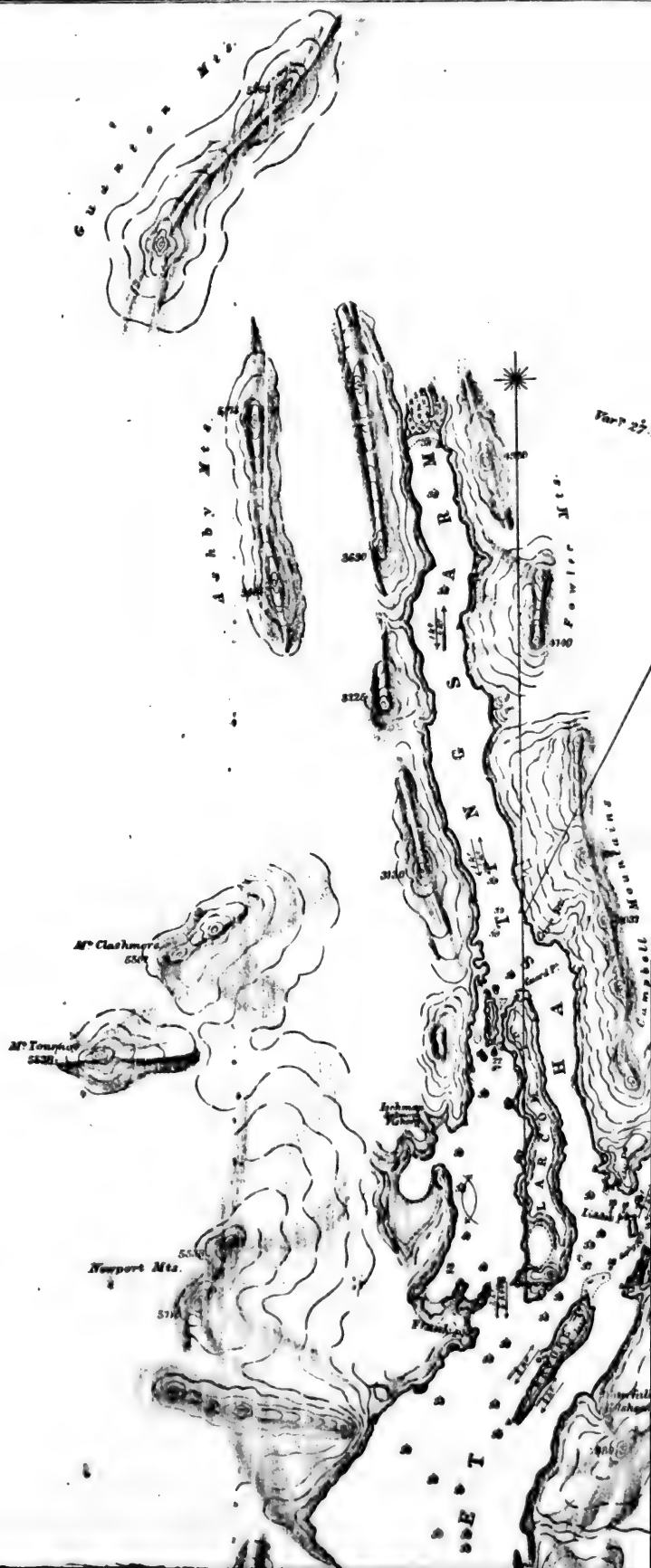
Scale 1:3065 in = 1 Nautic Mile.

Scale & Meridian obtained from Astronomical positions of Port Simpson O. B. & Kincolish obtained by a double altitude under not very favorable circumstances cannot be dependent on a chronometer. Nass River above Sharp Point is from a reconnaissance, & not from triangulation & is mainly influenced, during the summer months by the freshets down the river. The flood Village the water begins to fall immediately after H. W., but at L. W. there is an interval of 1 hour is utterly impracticable for any but the smallest class of vessels. A Gunboat could in the best time would be with the last half of the Flood, but great caution is at all times channel has 6 feet at L. W. The Villages, 2 in number contain about 500 Inhabitants.

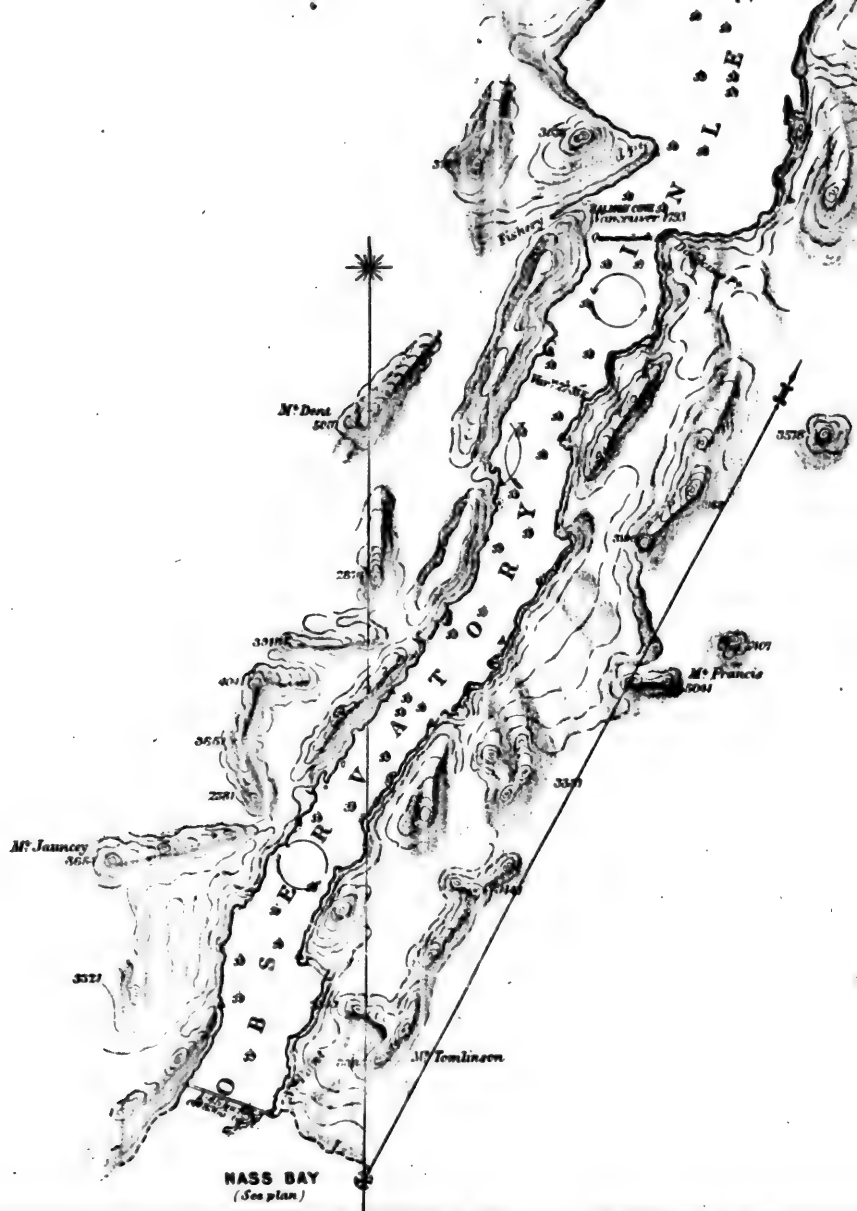
Scale 1:3065 in = 1 Nautic Mile. of 60
Fathoms 10 0 1 2 3 4

* This Chart is drawn to a Scale of 0 49225 in = 1 Nautic Mile, being

D









N^o XI.
N.W. AMERICA.
BRITISH COLUMBIA.

OBSERVATORY INLET,
— from the —
ADMIRALTY SURVEY,
of
— 1868. —

Spring Range 23 ft. Neap Range 12 ft.

H.W.F & C. 1H^o 05^m.

Latitude $54^{\circ} 59' 26.4''$ N.
* NAAS BAY, Longitude $129^{\circ} 57' 36''$ W.

Variation $27^{\circ} 35'$ E.

The Tides in Observatory Inlet are very irregular
and of varying force.

Scale $\frac{1}{10225}$ Inch, - 1 Nautic Mile, of 6086 F^t.*

Cables $\frac{1}{10225}$ 0 1 2 3 4 5 Nautic Miles.

SOUNDINGS IN FATHOMS.

Observatory Inlet was triangulated from the side North P^o to one
opposite on Western Shore, taken from the plan of Naas Bay.

* This Chart is drawn to a scale of $\frac{1}{10225}$ inch - 1 Nautic Mile,
being a reduction to half the scale of the Original Survey.

D. R. Cameron.
Colonel.

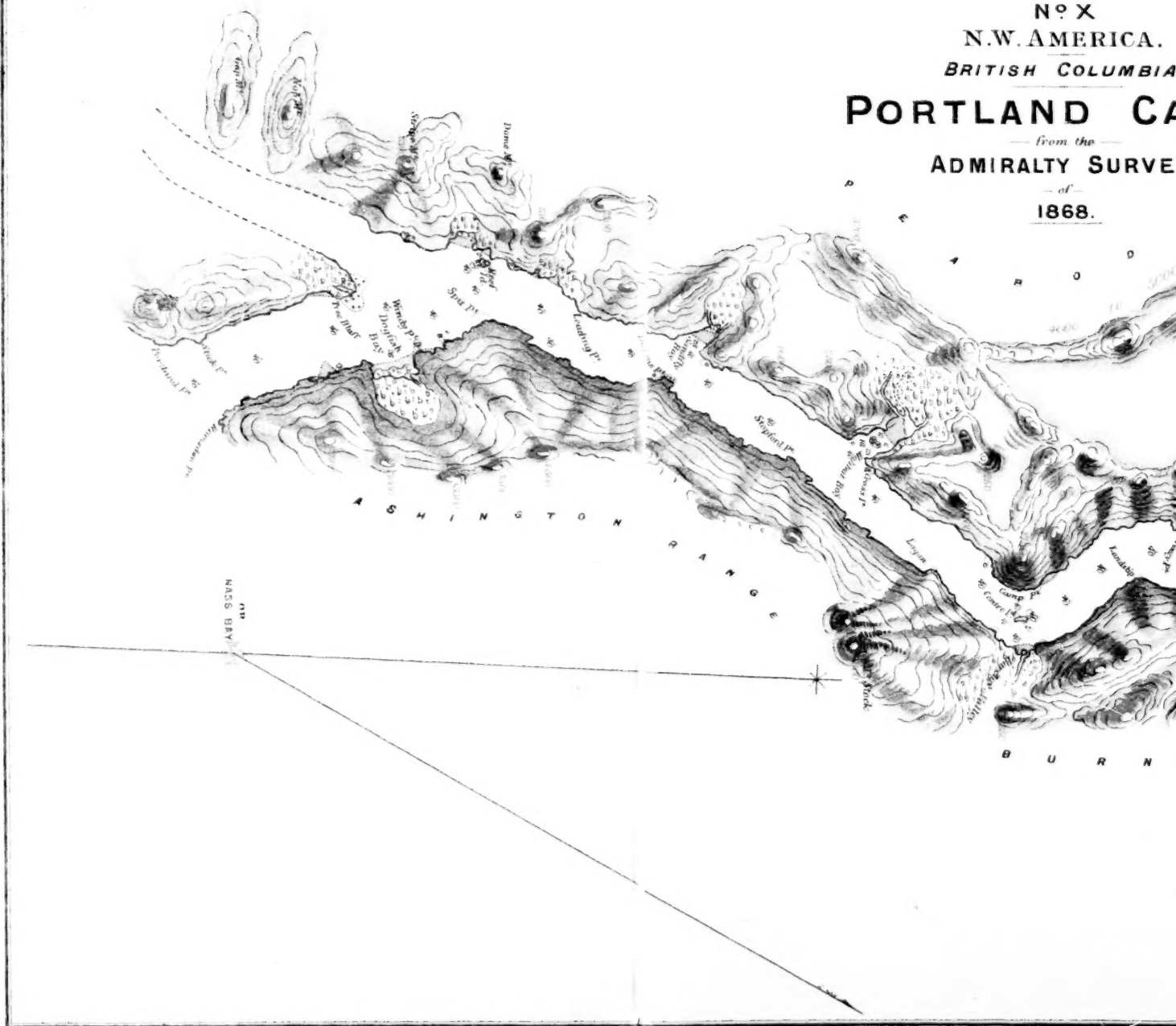
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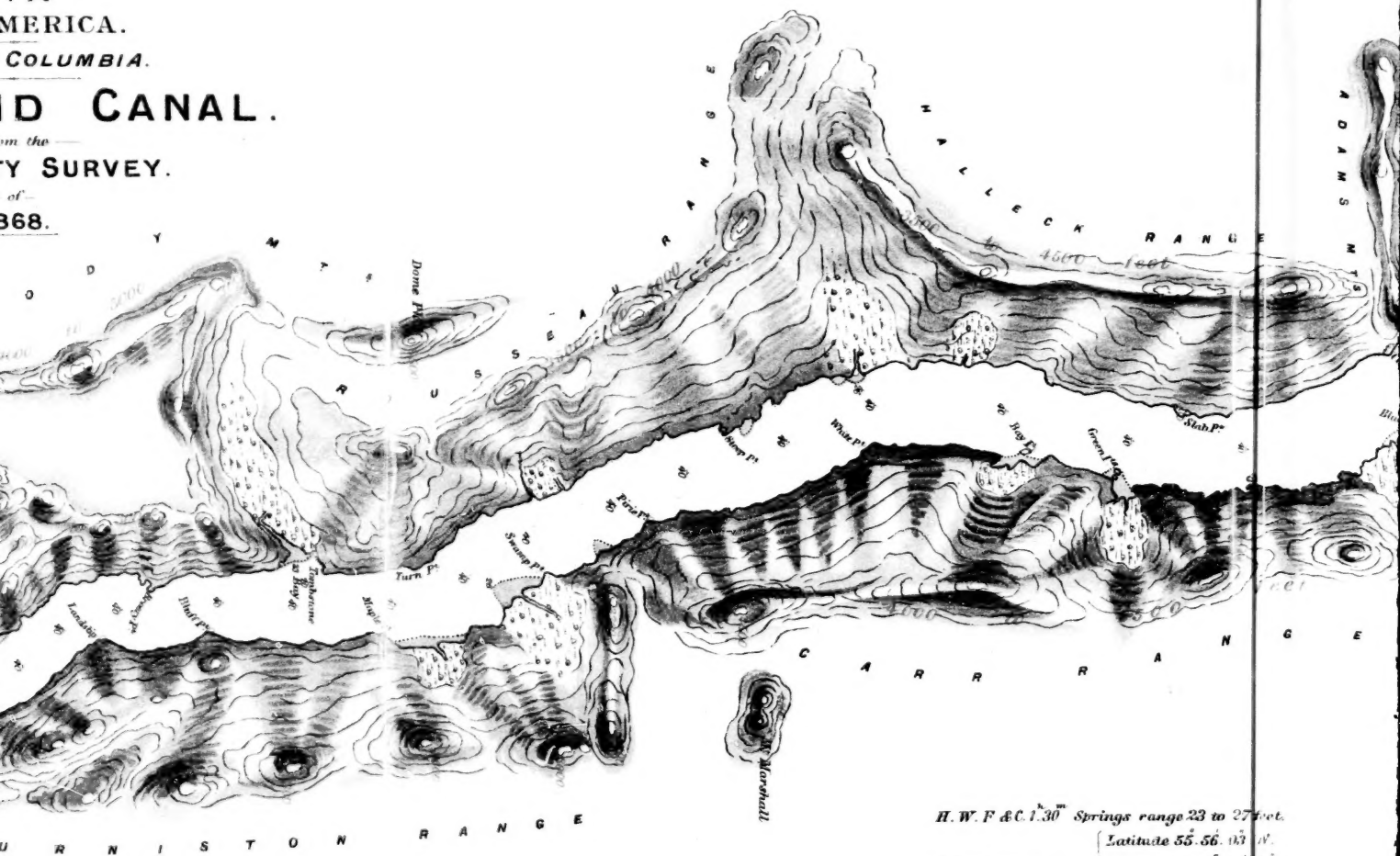
— from the —
ADMIRALTY SURVEY

— of —
1868.



X
 AMERICA.
 COLUMBIA.
 ID CANAL.

from the
 Y SURVEY.
 of
 368.



H. W. F. & C. 1.30^m Springs range 23 to 27 feet.

Latitude 55. 56. 03 N.

O. B. at Head of Inlet Longitude 130. 03 57.

Variation 27. 50 E.

0 1 2 3 4 5 Nautic Miles.

Scale 1.009 Ins. = 1 Nautic Mile of 6085 feet *

SOUNDINGS IN FATHOMS.

* This Chart is drawn to a scale of 0.5045 in. = 1 Nautic Mile, being
 1/2 the scale of the original survey.



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feet *

Mile, being

